



**TOWN OF MANSFIELD
TOWN COUNCIL MEETING
November 9, 2015
COUNCIL CHAMBERS
AUDREY P. BECK MUNICIPAL BUILDING
7:30 p.m.
AGENDA**

NOTE:

- A ceremonial presentation in honor of Veterans' Day will be held at 7:00PM.
- The Mansfield Town Council will be sworn in to office at 7:15PM in advance of the regular meeting.

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MH*
CC: Maria Capriola, Assistant Town Manager; Mary Stanton, Town Clerk
Date: November 9, 2015
Re: Election of Mayor and Deputy Mayor

Subject Matter/Background

Section C302 of the Mansfield Town Charter stipulates that:

At the next regular meeting of the Town Council following the municipal election, the Town Council members shall elect, by a majority vote of all Council members, one of their number to serve as Mayor, who shall preside at Council meetings, and one of their number to serve as Deputy Mayor, who shall serve in the Mayor's temporary absence.

To fulfill these Charter requirements, the Town Clerk will call for nominations for the position of Mayor. Once the Mayor has been elected by the Council, the Mayor will then call for nominations for the position of Deputy Mayor.

Attachments

- 1) Mansfield Town Charter, Section C302

Chapter C. Charter

Article III. The Town Council

§ C302. Organization and procedure.

- A. At the next regular meeting of the Town Council following the municipal election, the Town Council members shall elect, by a majority vote of all Council members, one of their number to serve as Mayor, who shall preside at Council meetings, and one of their number to serve as Deputy Mayor, who shall serve in the Mayor's temporary absence. If both are absent, the Council may designate from its membership a temporary presiding officer. At this meeting the Council shall fix the time and place of its regular meetings, which shall be at least once each month, and shall provide methods for calling special meetings. If the position of the Mayor is vacated, the Council shall elect a new Mayor in the same manner as prescribed in this section. The Mayor shall be recognized as the official head of the Town for all ceremonial purposes.
- B. The Council shall determine its own rules of procedure. Five members shall constitute a quorum. All meetings of the Council for the transaction of business shall be open to the public in accordance with the Freedom of Information Act.^[1] All votes shall be recorded as prescribed by the C.G.S.
[1] *Editor's Note: See C.G.S. § 1-7 et seq.*
- C. The Council shall keep for public inspection a journal of all its proceedings, including all roll call votes, which shall be the official record of its proceedings. The journal shall be maintained by the Town Clerk and shall be authenticated for each meeting by the signature of the Mayor or other presiding officer and the Town Clerk.



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant Town Manager; Mary Stanton, Town Clerk
Date: November 9, 2015
Re: Town Council Rules of Procedure

Subject Matter/Background

Pursuant to Section C302 of the Town Charter, at the beginning of each new term the Town Council must adopt Rules of Procedure.

Where appropriate, the Rules of Procedure reference the Town Charter and Roberts Rules of Order. Procedural matters not covered by the Town Charter or these Rules of Procedure are determined by the Mayor, or by the Deputy Mayor in the absence of the Mayor, in accordance with Robert's Rules of Order, Newly Revised.

The Rules of Procedure were last adopted by the Town Council on November 25, 2013, as attached.

Typically, each newly elected Council will ask the Town Council's Personnel Committee to review the Rules of Procedure. The Committee will then make recommended changes (if needed) to the Council as a whole for consideration.

Recommendation

To fulfill this Charter requirement the following resolution is in order:

BE IT RESOLVED, that under the authority of Section C302 of the Town Charter, the Town Council of the Town of Mansfield does hereby adopt as its rules of procedure the Town of Mansfield Town Council Rules of Procedure, dated November 25, 2013. These rules are in effect for the term of office of the Town Council, or until revised, and shall be adopted by the Town Council at the organizational meeting. Procedural matters not covered by the Town Charter or these Rules of Procedure will be determined by the Mayor, or by the Deputy Mayor in the absence of the Mayor, in accordance with Robert's Rules of Order, Newly Revised.

Additionally, the Council may wish to refer the rules to the Personnel Committee for review. The Personnel Committee's next regularly scheduled meeting is November 16, 2015. If the Council desires to make this referral, the following motion is in order:

Move effective, November 9, 2015 to refer the review of the Council Rules of Procedure to the Town Council Personnel Committee."

Attachments

- 1) Town Council Rules of Procedure, dated November 25, 2013



TOWN OF MANSFIELD
TOWN COUNCIL RULES OF PROCEDURE
As adopted by Council 11/25/13¹

BE IT RESOLVED, that under the authority of Section C302 of the Town Charter, the Town Council of the Town of Mansfield does hereby establish its Rules of Procedure as follows. These rules are in effect for the term of office of the Council and shall be adopted at the organizational meeting. Procedural matters not covered by the Town Charter or these Rules of Procedure will be determined by the Mayor, or by the Deputy Mayor in the absence of the Mayor, in accordance with the most recent edition of "Robert's Rules of Order, Newly Revised." Ordinarily, the "In Brief" version of Robert's Rules of Order, Newly Revised will be used.

Rule 1 – Organizational Meeting

Each newly elected Council shall meet for organization at the next regular meeting of the Town Council following the municipal election. During this Organizational Meeting the Town Council shall elect, by a majority vote of all Council members, one of their number to serve as Mayor, who shall preside at Council meetings, and one of their number to serve as Deputy Mayor, who shall serve in the Mayor's temporary absence. If both are absent, the Council may designate from its membership a temporary presiding officer. At this Organizational Meeting, the Council shall also fix by Resolution the time and place of its regular meetings for the following two-year period, which meetings shall be held at least once a month as required by the Charter. The appointment of a Town Attorney may also take place at this meeting, but said appointment shall take place no later than one month after the election of the Council.

Rule 2 –Meetings

- a) All meetings shall be held in compliance with the Connecticut Freedom of Information Act, Connecticut General Statutes sections 1-200, et seq.
- b) The presence of five members of the Council is necessary for a quorum. Each Council member is asked to notify the Mayor or the Town Manager as soon as possible if the member expects to be absent

¹ November 25, 2013 (amended); November 14, 2011 (amended); November 22, 2010 (amended); July 26, 2010 (amended); February 22, 2010 (amended); September 8, 2008 (original)

- c) Special Meetings of the Town Council may be called by the Mayor, or on the written request of at least three members of the Council, filed with the offices of the Town Manager and Town Clerk not less than 36 hours (excluding Saturday, Sunday, legal holidays and any day on which the Office of the Town Clerk is officially closed) in advance of such meeting, which request must specify the date, time and business to be transacted at any such Special Meeting. The Town Clerk shall post a notice in the Office of the Town Clerk indicating the time, place and business to be transacted, and copies of this notice shall be served by mail or personally upon each Council member and the Town Manager or left at their usual place of abode at least twenty-four (24) hours prior thereto. The notice shall be placed on the Town's website at least 24 hours prior to the meeting.
- d) Emergency Special Meetings may be called by the Mayor or the Town Manager in case of an emergency with at least two hours notice given to Council members, without complying with the posting of notice requirement, but a copy of the minutes of every such Emergency Special Meeting shall be filed with the Town Clerk not later than 72 hours following the holding of such meeting in accordance with the Freedom of Information Act, C.G.S. section 1-225 (d).
- e) Work Sessions are by definition of the Freedom of Information Act, Special Meetings of the Council. In order to preserve the informal and relaxed atmosphere that encourages exchange between members of the Town Council, town government and invited participants, Work Sessions will generally be held prior to the Regular Meeting. Work Sessions may be scheduled by the Mayor or by majority of vote of the Council. All requirements of the Freedom of Information Act that pertain to Special Meetings shall be observed for Work Sessions. Work Sessions will be held to discuss, review, research or explore topics for possible later action. No formal votes may be taken, except for a vote to go into Executive Session.
- f) Joint meetings and hearings may be held with the governing bodies of other governmental entities or agencies and such joint regular or special meetings may be held in the jurisdiction of either body.
- g) Ceremonial presentations to individuals or groups that include refreshments, may be scheduled prior to the Regular Meeting time in accordance with the requirements of the Freedom of Information Act. A notice that the presentation will take place prior to the Regular Meeting will be included on the agenda for that meeting. For select national holidays, more specifically, President's Day, Memorial Day, Independence Day, and Veteran's Day, the Council will schedule ceremonial meetings which may include traditional and appropriate activities such as a recitation of the pledge of allegiance. Council members shall participate on a voluntary basis in the planning and scheduling of such ceremonial meetings.
- h) The Town Clerk is the Clerk of the Council and shall, in accordance with the Connecticut Freedom of Information Act, keep for public inspection minutes of all its proceedings, including all roll call votes and indicating deliberations, discussions and

actions which shall be the official record of Council proceedings. The journal shall be authenticated for each meeting by the signature of the Mayor or Deputy Mayor in the absence of the Mayor. Notes from the meeting indicating all actions shall be available to the public within 48 hours after the meeting and the minutes shall be available and posted on the website within 7 days of the meeting.

- i) The Freedom of Information Act prohibits a quorum of Council members from engaging in discussion about substantive Council business via email.

Rule 3- Agenda of Council Meetings

- a) The Town Manager, in consultation with the Mayor, shall prepare the agenda
- b) Unless altered by a two-thirds vote of the Council, the regular order of business shall be as follows:
 - 1. Call to Order
 - 2. Roll Call
 - 3. Approval of Minutes
 - 4. Public Hearing (if scheduled)
 - 5. Opportunity For Public to Address the Council
 - 6. Report of the Town Manager
 - 7. Reports and Comments of Council Members
 - 8. Old Business
 - 9. New Business
 - 10. Quarterly Reports
 - 11. Reports of Council Committees
 - 12. Departmental and Advisory Committee Reports
 - 13. Petitions, Request and Communications
 - 14. Future Agendas
 - 15. Executive Session (if scheduled)
 - 16. Adjournment
- c) Prior to or during the discussion on each item on the agenda the Mayor may call upon the Town Manager, designated staff or other appropriate person for the purpose of background presentation of business to be discussed. Council members may address questions to these individuals.
- d) Unless extenuating circumstances occur, the agenda and all supporting material shall be delivered to the Council not later than the Friday preceding each regular meeting of the Council.
- e) Every effort will be made to ensure that copies of the agenda, minutes and related material distributed with the packet will be made available on the Town's website no later than noon on the Friday preceding each regular meeting of the Council.

- f) Recurring Old Business items shall have an end date to be determined by the Council.

Rule 4 – Public Participation

a) Regular Meetings

The Town Council welcomes comments from the public. On the agenda of each meeting of the Town Council, a period shall be set aside and designated as an opportunity for the public to address the Council on any issue of importance to the Town. Citizen comments may be presented orally or in writing. Each speaker will be allowed one opportunity to speak for a maximum of five minutes. Speakers are not permitted to yield any portion of their time to another speaker(s). Any citizen so speaking shall identify him/herself by name and address, and if the speaker is speaking for a group or organization, she/he may so state. Citizen comments will be accepted as presented. Written statements presented by speakers during the public comment section shall be included in the minutes of the meeting.

Council members are free to ask questions to clarify the intent of the citizens commenting. Citizens should not attempt to engage Council members, the Town Manager or Town staff in debate or line of questioning. Council Members and the Town Manager may offer responses to questions or concerns raised by citizens during the portions of the agenda reserved for their reports and comments, but are not obligated to provide answers to impromptu questions.

Written statements from the public received prior to the completion of the Town Council packet will be included as a communication. Communications received after the packet has been completed will be distributed to members prior to the meeting and be included as a communication in the next packet.

b) Public Hearings

Public hearings are an opportunity for citizens to address the Town Council on a specific issue. Citizen comments may be presented orally or in writing. Written statements received by the Town Clerk prior to the public hearing will be noted on the record and distributed to Council members either in the packet or that evening. Both these letters and written statements presented by speakers during the public hearing shall become part of the minutes. All citizens so speaking shall identify him/herself by name and address, and if the speaker is speaking for a group or organization, she/he may so state. Public comment at public hearings is limited to five minutes per speaker unless otherwise modified by the Council at the beginning of the hearing.

c) Work Sessions

Work Sessions are an opportunity for the Council, Town Government and invited participants to discuss issues. An opportunity for public comment, other than invited participants, may be set-aside at the beginning of the Work Session to hear from citizens who have comments pertaining to the issue at hand.

Rule 5 – Decorum

All meeting participants including Councilors, citizens and staff should confine their remarks to the substance of the issue at hand. Participants should avoid discussing personalities and not impugn the motive, character or integrity of any individual. The Town Council supports the right of a resident to criticize its local government, but this should be done appropriately and responsibly, with civility and discretion. All participants should address their remarks to the Mayor and maintain a civil tone. These rules of conduct shall also apply to all written correspondence.

Disorderly and disruptive conduct will be handled in accordance with Freedom of Information Act, C.G.S. Section 1-232.

Rule 6- Introduction and Public Hearing of Ordinances

- a) Section C307 of the Charter of the Town of Mansfield provides that “All ordinances introduced by a member of the Council shall be in written form and shall be limited to one subject, which shall be clearly stated in the title.” A copy of the ordinance shall be filed with the Town Clerk who shall follow the procedures for copying, distribution and notice of the proposed ordinance set forth in Town Charter section C307.
- b) Section C308 of the Town Charter requires that the Town Council shall hold at least one public hearing before any ordinance shall be passed. The Council may also hold more than one public hearing on a proposed ordinance prior to taking final action.
- c) Prior to the Town Council scheduling a public hearing regarding a proposed ordinance, the Town Manager shall present a written fiscal impact analysis to the Council.
- d) The Town Council may discuss a proposed ordinance but may not amend, adopt or reject it on the day the first public hearing is convened in accordance with Section 308 of the Town Charter. This provision may be suspended by a majority vote.

Rule 7- Motions

- a) When a motion is made and seconded it shall be stated by the Mayor or the Town Clerk, if requested. If the motion is made in writing, it shall be read aloud prior to being debated. The motion so made and seconded will be in possession of the Council and subject to amendments or withdrawal.
- b) Motions shall be reduced to writing when requested by the Mayor or by a majority of the whole Council.
- c) When a motion is under debate, no further motion shall be received except to adjourn, to recess, to table, for the previous question, to limit, extend or close debate, to postpone to time certain, to refer to committee, to amend or to postpone indefinitely, which motions shall have precedence in the order indicated.

- d) Motions to adjourn, to lay upon the table and for the previous question shall be decided without debate.
- e) Motions to postpone to a definite time and to limit, extend or close debate at a specific time shall be decided without debate, except with respect to the time fixed, which shall be subject to amendment altering the time.
- f) Motions to refer, to postpone indefinitely or to amend shall be debatable, but only with respect to such a referral, postponement or amendment, and not with respect to the subject matter of the main motion.
- g) Any amendment must be germane to the motion.
- h) Motions to table, to postpone to time certain or to postpone indefinitely, once having been decided, shall not be reconsidered at the same meeting, whereas a motion to refer a matter to a committee can be reconsidered only at the meeting of the vote. Any other motion can be reconsidered only at the same or next succeeding meeting of the Council.
- i) Any motion to reconsider shall be in order only upon motion by a member participating in the prevailing vote of the original motion. Motions to adjourn or to reconsider the previous question shall not be reconsidered.
- j) Any motion under debate, which consists of two or more independent propositions, may be divided by a majority vote of the whole Council.

Rule 8 - Debate

- a) During discussion or debate, no Councilor shall speak unless recognized by the Mayor.
- b) Councilors shall confine their remarks in debate to the pending question.
- c) Any Councilor who knows in advance of a meeting that he /she wishes to obtain certain data or have a question answered, or wishes specific figures or expenditures, or the like, should, insofar as possible, inform the Town Manager in writing of the nature and details of the inquiry, so that the Town Manager will have the opportunity to have the answer available at such meeting.
- d) Any member who realizes or anticipates that he/she has or will have a conflict of interest with respect to a matter before the Council for consideration should announce his or her intention to abstain from voting on the matter as soon as the conflict becomes apparent, and should thereafter refrain from further discussion of or involvement in the matter.

Rule 9 – Standing Committees and Other Committees

- a) There shall be the following standing committees of the Council

- Committee on Committees
 - Finance Committee
 - Personnel Committee
- b) The Council may create or dissolve committees of the Council by resolution.
- c) The Mayor shall appoint members of the Council to such committees and shall designate the chair of each. The Mayor may announce any adjustments in membership or chairmanship at a regular Council meeting with such changes to be effective at the next regular committee meeting.
- d) All Councilors shall be ex-officio members of the committees to which they are not assigned, but do not have the authority to make motions or to vote.
- e) The Mayor shall make recommendations for appointments of Council members to committees other than the three standing committees of the Council to the Council as a whole for review and consideration.

Rule 10 – Executive Session

Executive Sessions will be limited to those subjects allowed pursuant to the Freedom of Information Act. The reasons for such a session and persons to attend shall be publicly stated. A two-thirds vote of the members of the Council present and voting shall be necessary in order to go into Executive Session.

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MH*
CC: Maria Capriola, Assistant Town Manager; Mary Stanton, Town Clerk
Date: November 9, 2015
Re: Meetings of the Town Council

Subject Matter/Background

Section C302 of the Mansfield Town Charter stipulates that at the beginning of each new Town Council the Council shall fix the time and place of its regular meetings, which shall be held at least once a month, and provide the methods for calling special meetings.

For many years, the Town Council has held its regular meetings at 7:30 PM on the second and fourth Mondays of the month, with the exception of certain holidays when the meeting is pushed to a Tuesday. The Council does have the discretion to adjust the meeting dates and times, if desired.

In accordance with the requirements of the Charter, the Town Clerk has also prepared the draft 2016 meeting schedule for the Town Council.

Recommendation

To fulfill these Charter requirements the following resolutions and one motion are in order:

RESOLVED: Pursuant to Section C302 of the Town Charter, the Town Council shall meet regularly on the second and fourth Mondays of every month at 7:30 PM in the Council Chambers of the Audrey P. Beck Building. The schedule of meetings for 2016, as provided by the Town Clerk, is hereby approved.

RESOLVED: Pursuant to Section C302 of the Town Charter the Town Council shall provide methods for the calling of special meetings. Special meetings of the Town Council may be called by the Mayor, or on the written request of at least three members of the Council, filed with the offices of the Town Manager and Town Clerk not less than 36 hours (excluding Saturday, Sunday, legal holidays and any day on which the Office of the Town Clerk is officially closed) in advance of such meeting, which request must specify the date and time and business to be transacted, and copies of this notice shall be served by mail or personally

upon each Council member and the Town Manager or left at their usual place of abode at least 24 hours prior thereto.

RESOLVED: Emergency Special Meetings may be called by the Mayor or the Town Manager in case of an emergency with at least two hours' notice given to Council members, without complying with the posting of notice requirement, but a copy of the minutes of every such Emergency Special Meeting shall be filed with the Town Clerk not later than 72 hours following the holding of such meeting in accordance with the Freedom of Information Act, C.G.S. section 1-225 (d).

Attachment

- 1) Town Council 2016 Meeting Schedule



Town Council 2016 Meeting Schedule

In accordance with CGS§ 1-4 and the Mansfield Town Charter the following dates are approved for the Mansfield Town Council's 2016 meeting schedule:

January 11, 2016
January 25, 2016
February 8, 2016
February 22, 2016
March 14, 2016
March 28, 2016
April 11, 2016
April 25, 2016
May 09, 2016
May 23, 2016
June 13, 2016
June 27, 2016
July 11, 2016
July 25, 2016
August 08, 2016
August 22, 2016
September 12, 2016
September 26, 2016
October XXXX (Columbus Day) Monday is Columbus Day, Tues. sundown and Wed. till night fall is Yom Kippur – no calendar entry for this date
October 24, 2016
November 14, 2016
November 28, 2016
December 12, 2016
December 27, 2016 (Tuesday -Christmas celebrated 12/26)

Unless otherwise indicated the Mansfield Town Council will meet the second and fourth Monday of each month. All Regular Meetings are to be held in the Council Chambers of the Audrey P. Beck Building and will begin at 7:30 p.m.

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**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MH*
CC: Maria Capriola, Assistant Town Manager; Mary Stanton, Town Clerk
Date: November 9, 2015
Re: Appointments to Standing Council Committees

Subject Matter/Background

This item has been added to the agenda to allow the Council to discuss potential Mayoral appointments to the Finance Committee, Personnel Committee, and Committee on Committees.

Attachments

- 1) Town Council Committee Membership Appointments

TOWN COUNCIL COMMITTEE MEMBERSHIP APPOINTMENTS			
Committee Name	Membership Requirements	Current Appointments 2013 - 2015	Appointments for 2015-2017
Campus Community Partnership	No formal agreement	Mayor Paterson	
Discovery Depot	One council member	B. Wassmundt	
Downtown Partnership	Mayor, ex officio with full voting rights and three additional members appointed by the Council	Mayor Paterson, T. Moran, S. Kegler and Town Manager	
Eastern Highland Health District	One member for each 10,000 residents - 3 members at least one of whom is currently a citizen	Mayor Paterson and Town Manager, Asst Town Manger (Alternate)	
Emergency Management	Mayor plus additional committee members, if wishes	Mayor Paterson and P. Kochenburger	
Four Corners Water and Sewer Advisory Committee	Two council members	V. Raymond and B. Ryan	
Parking Steering Committee	At least one council member	Vacancy	
Sustainability Committee	Two council members or one council member and on ex-council member	P. Shapiro and vacancy	
Transportation Advisory Committee	Two council members	B. Ryan and A. Marcellino	
University-Town Relations	Mayor and one council member	Mayor Paterson and S. Kegler	
Captiol Region Council of Government			
Standing Committees			
Personnel Committee	Three council members	T. Moran, B. Wassmundt, A. Marcellino	
Committee on Committees	Three council members	P. Kochenburger, A. Marcellino, S. Kegler	
Finance Committee	Three council members	B. Ryan, V. Raymond, P. Shapiro	
AD hoc Committees			

Ad hoc Committee on Ordinance Development and Review Subcommittee - Storrs Center	Five council members	S. Kegler, P. Kochenburger, T. Moran, V. Raymond, P. Shapiro	
Ad hoc committee on Police Services	Three council members	Mayor Paterson, T. Moran, S.Kegler	
Ad hoc Memorial Day Planning Presentation Committee		Varies with event	

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REGULAR MEETING – MANSFIELD TOWN COUNCIL
October 26, 2015
DRAFT

Mayor Elizabeth Paterson called the regular meeting of the Mansfield Town Council to order at 7:30 p.m. in the Council Chamber of the Audrey P. Beck Building.

I. ROLL CALL

Present: Kegler, Kochenburger, Marcellino, Moran, Paterson, Raymond, Shapiro, Wassmundt
Excused: Ryan

II. APPROVAL OF MINUTES

Mr. Kegler moved and Mr. Shapiro seconded to approve the minutes of the October 13, 2015 minutes as presented. The motion passed unanimously.

III. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Bill Petrix, Echo Road, discussed the issue of student housing and its effect on his neighborhood. Mr. Petrix is concerned about the increase in the number of homes that are being purchased to be rented and asked the Town to do more to mitigate the impact. Bill Roe, Echo Road, has been keeping a log of activities in a rental house in his neighborhood for 57 days. Mr. Roe commented that this is a business enterprise in a residential area.

Becky Shafer, Echo Road, stated that it is a burden to prove that a house is over-occupied and provided a copy of the log and pictures she and other neighbors have compiled for Councilors to look at. Ms. Shafer distributed two articles showing what other college communities are doing to address this problem. (Articles will be included as a communication in the November 9, 2015 packet).

Jennifer Oliver, Cemetery Road, commented on the proliferation of single family houses being converted to rental units. Ms. Oliver asked that the Town put a new moratorium on new rental permits and that the Town monitor the units and enforce the regulations. (Statement attached)

Darby Pollansky, Pollansky Construction, detailed her company's work as a subcontractor on the playground. Pollansky Construction did all the excavation for the playground and worked closely with Town staff. The Town paid the contractor but the contractor has not paid the subcontractor.

Gary Bent, Mansfield Hollow Road, urged support for the Ordinance Regarding the Storage, Disposal, or Use of Fracking Waste or any Derivative Thereof in the Town of Mansfield, Connecticut

David Freudmann, Eastwood Road, objected to the tone of discrimination he says has been directed at student renters and asked that residents respect economic freedom.

Brian Coleman, Centre Street, stated that he rents to students and that they are great tenants. Mr. Coleman urged tolerance and stated that if there is a problem the Town will work on it.

Jane Fried, Olsen Drive, served on the Community Quality of Life Committee and commented that the Town cannot discriminate against any group of people but there can

October 26, 2015

be rules that address behavior. Ms. Fried asked if the Town has enough employees to enforce the rules.

Mick Fitzgerald, Warrenville Road resident and EO Smith cross country coach, described the hazards his students encounter as they train on Town roads and suggested that maybe an increased police presence at certain times might be beneficial.

Miriam Kurland, Wormwood Hill Road, spoke in favor of the ordinance under consideration at tonight's meeting stating that passage would send a message to the State. Fiona Leek, Echo Road, expressed her concerns about changes in her neighborhood due to the number of increase rental units. Ms. Leek noted the newly adopted Plan of Conservation and Development identifies rentals as an issue.

Irene Petrix, Echo Road, commented that she has heard about other areas of Town where rentals are also a problem and that her husband was misquoted and that they have no vendetta against students.

IV. REPORT OF THE TOWN MANAGER

In addition to his written report the Town Manager offered the following comments in response to comments made by the public:

- Mr. Hart appreciates the Echo Road residents bringing the issue of rental housing to the Council. Staff has been working to enforce the zoning and housing regulations in this area and filed a violation notice in early September. In response to Councilors' questions Mr. Hart stated that occupancy in rental units is being monitored and that the Department of Building and Housing has sufficient staff to enforce the regulations.
- Mr. Hart commented that while the Town is sympathetic to the plight of the Pollansky Construction LLC the Town's contract is with the contractor. Staff is doing what they can to assist.
- Mr. Hart commented that the Town does engage in traffic enforcement based on complaints and Sargent Cournoyer has been successful in securing grants for additional police enforcement activities. Mr. Hart will look at options and report back to the Council.

V. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mayor Paterson presented a plaque to Betty Wassmundt for her dedicated and meritorious service on the Mansfield Town Council from November 2013 to November 2015. Ms. Wassmundt commented that although it has been difficult having influence as a member of the minority party it was her position that allowed her access to the records of Mr. Baruzzi.

Ms. Moran moved and Mr. Marcellino seconded to add a second executive session to the agenda to discuss Personnel in accordance with Connecticut General Statutes §1-200(6)(a), Town Manager's contract.

Motion passed unanimously.

Deputy Mayor Shapiro attended the Energize Connecticut, Clean Energy Communities Award Ceremony at which Mansfield received a Gold level award. Mr. Shapiro noted that Recycling Agent Virginia Walton is well known and highly respected.

Mr. Shapiro also attended the dedication of the skate park. The park is in honor of the son of Larry and Catherine Ross.

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VI. OLD BUSINESS

1. Storrs Center Update

The Town Manager reported the requested information regarding the amount of tax revenue at full build out for Storrs Center will be available at the next meeting.

2. Community/Campus Relations

Mr. Hart commended the efforts of the State Police, UConn Police, and those involved in Student Affairs for their efforts over the past weekends. Staff is preparing for Halloween including communicating with off campus residents.

3. Ordinance Regarding the Storage, Disposal, or Use of Fracking Waste or any Derivative Thereof in the Town of Mansfield, Connecticut

Mr. Shapiro moved and Ms. Moran seconded, to approve the proposed Ordinance Prohibiting the Storage, Disposal or Use of Fracking Waste or any Products or By-products Thereof in the Town of Mansfield, Connecticut, which ordinance shall be effective 21 days after publication in a newspaper having circulation within the town of Mansfield.

Mr. Shapiro moved to amend the motion and to include the following technical changes:

- In the title change “REGARDING” to “PROHIBITING”
- In the title change “DERIVATIVE” to “PRODUCTS OF BY-PRODUCTS”
- In Section 4 change the sentence to read, “Within ten (10) days of the final passage of this ordinance it shall be published in its entirety in a newspaper having general circulation within the town...”

Seconded by Ms. Moran the motion to amend passed unanimously.

Mr. Shapiro moved and Mr. Kegler seconded to further amend the motion to add the following: “This ordinance applies only to the extent allowable by state law.”

Mr. Kochenburger offered a friendly amendment changing the wording to, “This ordinance shall apply unless preempted by state law.” Accepted by Mr. Shapiro and Mr. Kegler, the amendment passed.

The motion as amended passed.

VII. NEW BUSINESS

4. Grant Application to CT DEEP for Eagleville Lake Aquatic Invasive Control

Ms. Moran moved and Mr. Marcellino seconded to approve the following resolution: Resolved, effective October 21, 2015, that the Mansfield Town Council authorizes the Town Manager to partner with the Town of Coventry to submit a grant to the Connecticut Department of Energy and Environmental Protection seeking \$28,000 to manage fanwort in Eagleville Lake and to commit to contributing the required \$7,000 cash match from the Town of Mansfield’s FY 2015/16 capital fund.

The motion passed unanimously.

October 26, 2015

5. Compensation for Town Manager – FY 15/16
Ms. Moran moved and Mr. Marcellino seconded, to increase the Town Manager's annual salary by 2% retroactive to July 1, 2015, for an annual salary of \$146,157 as of July 1, 2015.
The motion passed unanimously.

VIII. REPORTS OF COUNCIL COMMITTEES

Mr. Shapiro, Chair of the Ordinance Development and Review Subcommittee, reported the five members of the Subcommittee are considering a wide range of ordinances. Two items were unanimously approved to be added to the next Council agenda in order to set a public hearing date.

IX. DEPARTMENTAL AND COMMITTEE REPORT

No comments offered

X. PETITIONS, REQUESTS AND COMMUNICATIONS

6. M. Hart re: Political Activity at Town's Transfer Station. The Town Attorney has been asked for an opinion. Councilors discussed what current rules are in effect at the landfill. There are no rules in effect at this time. Mr. Hart will report back.
7. C. Naumec re: Allocation of state PILOT funds
8. M. Hart re: Proposed Acquisition of Lot 17 of Maplewoods Subdivision
9. C. van Zelm re: 12th Annual Celebrate Mansfield Festival
10. B. Silva re: District/Municipal Budget Information Sharing Meeting
11. Press Release: Jeffrey P. Ossen Family Foundation Community Playground Grand Opening and Ribbon Cutting
12. Southeast News: October–November 2015
13. K. Farrish re: Tolland 300th Anniversary Celebration
14. D. Malloy re: Open Space and Watershed Land Acquisition Program
15. S. Nolan re: Stage 1B Water Supply Advisory

XI. FUTURE AGENDAS

Mr. Shapiro requested that at a future meeting a discussion on how zoning and housing enforcement operates, be added to an agenda.

Ms. Moran moved and Mr. Marcellino seconded to move into executive session to discuss Strategy and Negotiations with Respect to Pending Claims or Litigation, in accordance with CGS§1-200(6) (B) and Personnel in accordance with Connecticut General Statutes §1-200(6) (a), Town Manager Performance Review. Mr. Hart and Attorney Deneen will be included in the first session.

Motion passed unanimously.

XII. EXECUTIVE SESSION

Present: Kegler, Kochenburger, Marcellino, Moran, Paterson, Raymond, Shapiro, Wassmundt

Also Attending: Town Manager Matt Hart and Town Attorney Kevin Deneen for the discussion of pending claims and litigation only.

October 26, 2015

Strategy and Negotiations with Respect to Pending Claims or Litigation, in accordance with CGS§1-200(6) (B)
Personnel in accordance with Connecticut General Statutes §1-200(6) (a), Town Manager Performance Review

XIII. ADJOURNMENT

The Council reconvened in regular session. Ms. Moran moved and Mr. Shapiro seconded to adjourn the meeting at 9:54 p.m.
Motion passed unanimously

Elizabeth C. Paterson, Mayor

Mary Stanton, Town Clerk

October 26, 2015

People like me are
I have been a homeowner in Mansfield for 22 years. I am also a UCONN alum. But ~~I am~~ the exception. Most UCONN students won't settle in Mansfield, and ~~a large~~ ^{an increasing} number aren't even from Connecticut. Long after they are gone, we will still be dealing with a growing number of single family homes that are turning into rentals to accommodate the ever growing number of UCONN students. I was young once, and I remember that coexisting with my neighbors be it on or off campus was an acquired skill.

Dealing with the proliferation of single family homes that have been converted into rental properties has been a theme in this town as long as I can remember. As far back as 2008, Mr. Padick, the Director of P&Z at the time, attended a COMMITTEE ON COMMUNITY QUALITY OF LIFE meeting and noted 58 sites on his zoning enforcement watch list. He further noted that although single family rentals are limited to [at the time] 4 unrelated persons, "Many landlords have ignored this regulation, which is challenging to enforce." It appears that this committee has been disbanded, as there are no minutes after 2011. This committee should be reinstated as the need is greater now more than ever.

As outlined in the newly ratified POCD, theme 4 on page 1.4 **"Support Neighborhoods. The continued conversion of single-family homes into rental units is a significant concern for the long-term health of these neighborhoods.** The residents of Mansfield have spoken: on page 7.2: a resident is quoted as

Submitted by Jennifer Oliver

*Lina
Calloway*

saying that "Landlord requirements should be better enforced to manage the rental stock and maintain the character of existing neighborhoods."

I have noticed this proliferation ^{personally} myself. I have driven up 195 many time at about 630 AM and have noticed the same 8 ⁵ plus houses with 5 or more cars parked there on a consistent basis. Once you look for over-occupied rentals, you will notice them everywhere. The time to preserve our town's character is NOW, before the problem gets further out of control.

I am encouraged that the town has heard us, as several strategies have been identified in the new Plan of Conservation and Development to handle these concerns. For example, strategy B on page 7.26 says, "Enhance code enforcement systems for rental properties through researching and implementing enforcement practices successfully used by other college communities." ^{actually} It is certainly easier to create regulations to maintain our neighborhoods (see handout), rather than deal with these issues after the fact as so many of our sister college towns have had to do.

* One immediate action that can be taken is to place a moratorium on new rental permits. To date, no rental housing permit application has even been denied – how can thoughtful development take place when there is no effective monitoring or constraint? ^{**} Investors know that renting in this town is a lucrative business, ^{permit} ~~if~~ there is no fear of denial or effective ^{efficient} enforcement.

* If, as Mr. Puchner noted, it is hard to enforce occupancy, we ought to do more to limit them in the first place.

* How can more people purchase ^{affordable} homes if they are all

enforcement of current zoning laws ~~they will keep on buying these homes and destroying our neighborhoods.~~

Mansfield needs to be ahead of the curve rather than reactionary in preserving the quality of life for its citizens. I would like to know the specific timeline/accountability metrics in place to monitor the progress towards the goals laid out in the POCD.

Patterson - can't prohibit sell to renters?
NO ~~that~~ - limit density as well, not
rubber stamp permits



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Maria Capriola, Assistant Town Manager
Date: November 9, 2015
Re: Proclamation in Honor of Mansfield's Veterans

Subject Matter/Background

Senior Services will be hosting its annual Veterans Day event on November 13, 2015 at the Mansfield Community Center. A reading of the attached proclamation is planned.

Recommendation

Staff recommends that the Council authorize the Mayor to issue the attached proclamation.

If the Town Council concurs with this recommendation, the following motion is in order:

Move, effective November 9, 2015, to authorize the Mayor to issue the attached Proclamation in Honor of Mansfield's Veterans.

Attachments

- 1) Proclamation in Honor of Mansfield's Veterans

PROCLAMATION IN HONOR OF MANSFIELD'S VETERANS

"Celebrating the Living and Remembering the Fallen"

Whereas, on Veterans Day, we pay tribute to the men and women who have worn the uniform of the United States Armed Forces, as Americans across this land commemorate the patriots who have risked their lives to preserve the liberty of our Nation, the families who support them, and the heroes no longer with us; and

Whereas, in an unbroken line of valor stretching across more than two centuries, our veterans have charged into harm's way, sometimes making the ultimate sacrifice, to protect the freedoms that have blessed America; and

Whereas, we gather together today to remember our solemn obligations to our veterans, and recommit to upholding the enduring principles that our country lives for, and that our fellow citizens have fought and died for; and

Whereas, with respect for and in recognition of the contributions our service men and women have made to the cause of peace and freedom around the world, we publically honor the Town of Mansfield's veterans as we "Celebrate the Living and Remember the Fallen;"

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Mansfield Town Council that I, Mayor of the Town of Mansfield, do hereby proclaim today to be a celebration of Mansfield's veterans, and I encourage all residents to recognize the valor and sacrifice of our veterans and to thank them for their many contributions to our country, our community and our way of life.

Dated this 9th day of November, 2015.

Mayor



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MWH*
CC: Linda Painter, Director of Planning and Development; Michael Ninteau, Director of Building and Housing Inspection; Curt Hirsch, Zoning Agent; John Armstrong, University of Connecticut
Date: November 9, 2015
Re: Rental Housing Regulations and Enforcement

Subject Matter/Background

At the October 26, 2015 meeting, several residents addressed the Council expressing concern regarding the conversion of owner-occupied single family homes to rental units and enforcement of regulations related to maximum occupancy and rental certification. Council members requested a presentation on housing and zoning enforcement of current regulations.

Michael Ninteau, Director of Building and Housing Inspection; Linda Painter, Director of Planning and Development; and John Armstrong, Director of Off-Campus Student Services for the University will be making a presentation on regulations related to rental housing and enforcement of those regulations. Copies of relevant regulations are attached to this memo.

Attachments

- 1) Definition of Family (Mansfield Zoning Regulations)
- 2) Housing Code and Rental Certification Requirements (Chapter 130 of the Code of Ordinances)
- 3) Landlord Registration & Off-Street Parking Requirements (Chapter 152 of the Code of Ordinances)
- 4) Litter and Blight Regulations (Chapter 131 of the Code of Ordinances)
- 5) Nuisance Ordinance (Chapter 135 of the Code of Ordinances)

22. **Elderly Person.** Any person 62 years of age or over, or a person who has been certified by the Social Security Board as being totally disabled under the Federal Social Security Act.
23. **Family.** A person living alone, or any of the following groups living together as a single non-profit housekeeping unit and sharing common living, sleeping, cooking and eating facilities:
1. Any number of people related by blood, marriage, civil union, adoption, foster care, guardianship or other duly authorized custodial relationship, gratuitous guests, domestic help and not more than one (1) additional unrelated person. (Related by blood shall include only persons having one of the following relationships with another individual(s) residing within the same dwelling unit: parents, grandparents, children, sisters, brothers, grandchildren, stepchildren, first cousins, aunts, uncles, nieces and nephews);
 2. Two (2) unrelated persons and any children related to either of them;
 3. A cumulative total of up to three (3) adult persons. More than three (3) adult persons may qualify as a family pursuant to other categories of this definition;
 4. Persons living together as a functional family as determined by the criteria listed below. For the purpose of enforcing these regulations, it shall be assumed (presumptive evidence) that more than three (3) persons living together, who do not qualify as a family based on categories one or two of this definition, do not constitute a functional family. To qualify as a functional family, the following criteria shall be met:
 - A. The occupants must share the entire dwelling unit and live and cook together as a single housekeeping unit. A unit in which the various occupants act as separate roomers may not be deemed to be occupied by a functional family;
 - B. The group shares expenses for food, rent or ownership costs, utilities and other household expenses;
 - C. The group is permanent and stable. Evidence of such permanency and stability may include:
 1. The presence of minor dependent children regularly residing in the household who are enrolled in local schools;
 2. Members of the household have the same address for purposes of voter's registration, driver's license, motor vehicle registration and filing of taxes;
 3. Members of the household are employed in the area;
 4. The household has been living together as a unit for a year or more whether in the current dwelling unit or other dwelling units;
 5. There is common ownership of furniture and appliances among the members of the household; and
 6. The group is not transient or temporary in nature;
 - D. Any other factor reasonably related to whether or not the group is the functional equivalent of a family.
 - E. Occupancy in a dormitory, fraternity, sorority, club, tourist home, emergency shelter, rooming or boarding house, group home or similar group occupancy shall not be construed to be a family. Many of these land uses are defined in Article IV, Section B.

5. Any group protected by the "reasonable accommodation" criteria of the Federal Americans with Disabilities Act or Fair Housing Act in that group members are the functional equivalent of a family sharing and in continued pursuit of their common commitment to rehabilitation or recovery from chronic drug or alcohol addiction or abuse, evidenced by substantial compliance with the following criteria, listed in order of importance:
 - A. The residence facility is certified by the Department of Mental Health and Addiction Services as congregate sober housing.
 - B. Collectively, the residents lease the entire residence rather than any particular room.
 - C. Residents may remain indefinitely, but are required to leave the residence if they use drugs or alcohol.
 - D. Residents share equally most household expenses, including rent, a single household budget, most household chores, including cleaning, shopping and cooking, and the work of maintaining the premises.
 - E. Weekly meetings are used to discuss household, financial, logistical or interpersonal issues, and household safety, including fire safety.
 - F. Residents prepare food and eat together on a frequent basis and there is shared food in the refrigerator.
24. **Flood Hazard Area.** Areas subject to 100 year flooding as shown on the Federal Emergency Management Agency "Flood Insurance Study" and "Floodway" and "Flood Insurance Rate Maps" effective January 2, 1981 and further revisions.
25. **Floor Area, Gross.** The sum of the gross area (horizontal) of every floor of a building measured from the exterior faces of the walls or from the center line of party or common walls separating two buildings, including (a) basement space; (b) attic space whether or not a floor has been laid, over which there is structural headroom of 7 1/2 feet or more; (c) floor space used for mechanical equipment with structural headroom of 7 1/2 feet; (d) roofed porches, breezeways, interior balconies and mezzanines; (e) any roofed space such as a garage or carport for off-street parking accessory to a single-family or two-family dwelling not located in a cellar. However, floor area does not include: (a) cellar space (except that cellar space used for a retail sales use shall be included for the purpose of calculating requirements of such use for accessory off-street parking spaces and accessory off-street loading berths); (b) elevator and stair bulkheads, accessory water tanks and cooling towers; and (c) terraces, unroofed open porches and steps.
26. **Floor Area, Livable.** Livable floor areas may include rooms, halls, and closets, but shall not include rooms for heating equipment, garages, open or closed outside vestibules, or porches, or verandas. Unfinished basement spaces will not qualify for required livable area. Livable floor area as used herein means those portions of the building, soundly and permanently constructed and finished with materials and methods conforming to generally accepted practice. Floor area for livable quarters shall be computed from the outside dimensions.
27. **Floor Area, Net Retail.** The sum of the gross area within a commercial building designed and intended to be used in association with the sale of goods and personal services but excluding areas used for utilities and storage areas up to 10% of each tenant space.

Chapter 130. Housing Code

[HISTORY: Adopted by the Town Council of the Town of Mansfield 5-8-2006, effective 7-1-2006.
Amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 107.

Outdoor burning — See Ch. 114.

Litter — See Ch. 131.

Solid waste — See Ch. 161.

Streets and sidewalks — See Ch. 166.

Abandoned vehicles — See Ch. 179.

Article I. General Provisions

§ 130-1. Adoption of code.

A certain document, a copy of which is on file in the office of the Town Clerk of the Town of Mansfield, being marked and designated as the International Property Maintenance Code, 2003 Edition, as published by the International Code Council, be and is hereby adopted as the Housing Code of the Town of Mansfield, in the State of Connecticut for regulating and governing the conditions and maintenance of residential rental property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; and providing for the issuance of permits and collection of fees therefor. Each and all of the regulations, provisions, penalties, conditions and terms of said Housing Code of the Town of Mansfield on file in the office of the Town Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, prescribed in Article II.

§ 130-2. Severability.

If any section, subsection, sentence, clause or phrase of this chapter is, for any reason, held to be unconstitutional or ultra vires, such decision shall not affect the validity of the remaining portions of this chapter. The Town Council hereby declares that it would have passed this chapter, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or ultra vires.

§ 130-3. Effect on other provisions or pending legislation.

Nothing in this chapter or in the Housing Code of the Town of Mansfield hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability

incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Article II of this chapter; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this chapter.

§ 130-4. Publication of provisions.

The Town of Mansfield Town Clerk is hereby ordered and directed to cause this chapter to be published in a newspaper having circulation within the Town.

§ 130-5. Effective date.

This chapter and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after July 1, 2006.

Article II. Amendments to Code

§ 130-6. Revisions.

The following sections of said 2003 Edition of the International Property Maintenance Code are hereby revised as follows.

§ 130-7. Section 101, General.

SECTION 101, GENERAL, is amended as follows:

- A. **101.1 Title.** These regulations shall be known as the "Housing Code of the Town of Mansfield," hereinafter referred to as "this code."
- B. **101.2 Scope.** The provisions of this code shall apply to all existing residential rental housing units and their associated premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises; and for administration, enforcement and penalties.
Exception: All existing residential rental housing units that are the property of the State of Connecticut shall be exempt from this code. This exemption shall not include residential rental housing units owned by an entity leasing real property from the State of Connecticut.
- C. **101.3 Intent.** This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of residential rental housing units, structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein. Repairs, alterations, additions to and change of occupancy in existing buildings shall comply with the:
Connecticut State Building Code and Connecticut Supplement.
Connecticut Fire Safety Code.
Connecticut Public Health Code.
Town of Mansfield Code of Ordinances.

Town of Mansfield Zoning Regulations.

§ 130-8. Section 102, Applicability.

SECTION 102, APPLICABILITY, is amended as follows:

- A. **102.1 General.** The provisions of this code shall apply to all matters affecting or relating to residential rental housing units, structures and premises, as set forth in Section 101. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.
- B. **102.3 Application of other codes.** Repairs, additions or alterations to a residential rental housing unit, structure, or premises, or changes of occupancy, shall be done in accordance with the procedures and provisions of the codes and documents outlined in Section 101.3. Nothing in this code shall be construed to cancel, modify or set aside any provision of the codes and documents listed in Section 101.3.
- C. **102.7 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of the referenced standards shall apply.

§ 130-9. Section 103, Department of Building Inspection.

SECTION 103, DEPARTMENT OF BUILDING INSPECTION, is amended as follows:

- A. **103.1 General.** The Department of Building Inspection is hereby authorized and directed to enforce this code, and the executive official in charge thereof shall be known as the "Code Official."
- B. **103.2 Appointment.** The Town Manager of Mansfield shall appoint the Code Official; and the Code Official shall be subject to the Town Personnel Rules and Regulations or appropriate union contract.
- C. **103.5 Fees.** The fees for activities and services performed by the Department in carrying out its responsibilities under this code shall be as indicated in the schedule set forth in Chapter 9 of this code.

§ 130-10. Section 104, Duties and Powers of the Code Official.

SECTION 104, DUTIES AND POWERS OF THE CODE OFFICIAL, is amended as follows:

- A. **104.3 Inspections.** The Code Official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Code Official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the Town Manager.
- B. **104.8 Coordination of inspections.** Whenever an inspector from any agency or department observes an apparent or actual violation of some provision of some law, ordinance or code not

within the inspector's authority to enforce, the inspector shall report the findings to the code official having jurisdiction.

§ 130-11. Section 106, Violations.

SECTION 106, VIOLATIONS, is amended as follows: **106.3 Prosecution of Violation.** The Code Official shall retain discretion to refer any violation of this code to the authority of the State of Connecticut for prosecution according to state law.

§ 130-12. Section 107, Notices and Orders.

SECTION 107, NOTICES AND ORDERS, is amended as follows:

- A. Delete without substitution: 107.2.6.
- B. **107.5 Transfer of ownership.** The Code Official may cause to be filed upon the Land Records of the Town of Mansfield any written notice of violation or order issued by the Code Official. In any such case, if and when compliance with this code is subsequently attained, the Code Official shall cause to be filed on the Land Records a writing that documents and explains any such result without delay.
- C. **109.6 Hearing.** Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person or persons severally or jointly aggrieved by any decision of the Housing Code Board of Appeals shall thereafter have the right to appeal such order to the Connecticut Superior Court.

§ 130-13. Section 110, Demolition.

SECTION 110, DEMOLITION, is amended as follows: **110.1 General.** Per Connecticut General Statutes Section 29-253, the Code Official shall order the owner of any premises upon which is located any structure which in the Code Official's judgment is "unsafe," meaning a building that constitutes a fire hazard or is otherwise dangerous to human life or the public welfare, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option.

§ 130-14. Section 111, Means of Appeal.

SECTION 111, MEANS OF APPEAL, is amended as follows:

- A. **111.1 Application for appeal.** Any person directly affected by a decision of the Code Official or a notice or order issued under this code shall have the right to appeal to the Housing Code Board of Appeals, provided that a written application for appeal and a filing fee of \$100 are filed with the Clerk of the Board within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted or applied, the provisions of this code are not fully applicable, or the requirements of this code are adequately satisfied by other means.
- B. **111.2 Membership of Board.** The Housing Code Board of Appeals shall consist of three electors of the community who, in the opinion of the appointing authority, the Town Council, possess the

experience, capability and judgment to pass on matters pertaining to this Code. The members shall serve staggered and overlapping terms of three years, but in the beginning, the three who are initially appointed shall serve terms of one, two and three years, respectively.

- C. **111.2.1 Alternate members.** The Town Council shall appoint two or more alternate members who shall be called by the Board Chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for Board membership.
- D. **111.2.4 Secretary.** The Town Manager shall designate a qualified person to serve as Secretary to the Board. The Secretary shall keep and file a detailed record of all proceedings in the office of the Town Clerk.
- E. **111.2.5 Compensation of members.** Members shall not be compensated.

§ 130-15. Section 201, General.

SECTION 201, GENERAL, is amended as follows: **201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the Codes and Regulation listed in Section 8, such terms shall have the meanings ascribed to them as in those codes.

§ 130-16. Section 202, General Definitions.

SECTION 202, GENERAL DEFINITIONS, is amended as follows:

- A. Amend: **BATHROOM.** A group of fixtures including or excluding a bathtub or shower consisting of a water closet and lavatory located together in the same room.
- B. Add: **RESIDENTIAL RENTAL STRUCTURES.** Shall include all dwelling and housing units defined by this code that are residential and rental structures except for those owned by the State of Connecticut. The terms "dwelling unit(s)" and "housing unit(s)" shall be considered synonymous for purposes of this code.

§ 130-17. Section 302, Exterior Property Areas.

SECTION 302, EXTERIOR PROPERTY AREAS, is amended as follows:

- A. Delete without substitution: 302.4 Weeds.
- B. Delete without substitution: 302.8 Motor vehicles.

§ 130-18. Section 304, Exterior Structure.

SECTION 304, EXTERIOR STRUCTURE, is amended as follows:

- A. **304.3 Premises identification.** Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 3 1/2 inches high with a minimum stroke width of 0.5 inch.
- B. **304.14 Insect screens.** During the period from May 1 to October 15, every door, window and other outside opening required for ventilation of habitable rooms shall be supplied with approved

tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every swinging door shall have a self-closing device in good working condition.

C. Delete without substitution: 304.18.1 Doors.

§ 130-19. Section 305, Interior Structure.

SECTION 305, INTERIOR STRUCTURE, is amended as follows: **305.1 General.** The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, apartments, two or more dwelling units shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

§ 130-20. Section 306, Handrails and Guardrails.

SECTION 306, HANDRAILS AND GUARDRAILS, is amended as follows: **306.1 General.** Every exterior and interior flight of stairs having four or more risers shall have a handrail on one side of the stair, and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails and guardrails shall be in accordance with the codes and regulations listed in Section 8. **Exception:** Guards shall not be required where exempted by the adopted building code.

§ 130-21. Section 308, Extermination.

SECTION 308, EXTERMINATION, is amended as follows: **308.3 Single occupant.** The occupant of a one-family dwelling shall be responsible for extermination on the premises.

§ 130-22. Section 401, General.

SECTION 401, GENERAL, is amended as follows: **401.3 Alternative devices.** In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the Building Codes and regulations listed in Chapter 8 shall be permitted.

§ 130-23. Section 402, Light.

SECTION 402, LIGHT, is amended as follows: **402.2 Common halls and stairways.** Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a sixty-watt standard incandescent light bulb for each 200 square feet (19 m²) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9,144 mm).

§ 130-24. Section 403, Ventilation.

SECTION 403, VENTILATION, is amended as follows: Delete without substitution 403.4 Process ventilation.

§ 130-25. Section 404, Occupancy Limits.

SECTION 404, OCCUPANCY LIMITS, is amended as follows: **404.1 Privacy.** Dwelling units, housekeeping units, rooming units and apartment units shall be arranged to provide privacy and be separate from other adjoining spaces.

§ 130-26. Section 502, Required Facilities.

SECTION 502, REQUIRED FACILITIES, is amended as follows:

- A. Delete without substitution: 502.3 Hotels
- B. Delete without substitution: 502.4 Employees' facilities.
- C. Delete without substitution: 502.4.1 Drinking facilities.

§ 130-27. Section 503, Toilet Rooms.

SECTION 503, TOILET ROOMS, is amended as follows:

- A. Delete without substitution: 503.3 Location of employee toilet facilities.
- B. Delete without substitution: 503.4 Floor surface.

§ 130-28. Section 505, Water System.

SECTION 505, WATER SYSTEM, is amended as follows:

- A. Amend: **505.1 General.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the Building Code and Regulations listed in Chapter 8.
- B. Add: **505.2.1. Water test.** Prior to a rental certificate being issued pursuant to Chapter 9 of this code, a copy of a water test completed within the immediately preceding 24 months indicating that the water supply meets the following minimum standards must be submitted to the Code Official:
[Amended 3-26-2007, effective 4-20-2007]

- Chloride: less than or equal to 250 mg/l
- Nitrate: less than or equal to 10 mg/l
- Nitrite: less than or equal to 1.0 mg/l
- Manganese: less than or equal to 0.5 mg/l
- Chlorine, residual: less than .05 mg/l
- Coliform bacteria: 0 col/100 ml

The sample must be drawn and tested by a firm certified by the State of Connecticut Department of Public Health to perform such duties. The provisions of this section shall not apply to dwelling units that are served by a public water supply or are regulated by the Water Quality Monitoring Schedule directed by the Connecticut Department of Public Health.

§ 130-29. Section 506, Sanitary Drainage System.

[Amended 4-27-2009, effective 5-22-2009]

Add to SECTION 506, SANITARY DRAINAGE SYSTEM: **506.3 Private Sewage Disposal System Maintenance.** Prior to a rental certificate being issued pursuant to Chapter 9 of this code, a report provided by a pumper/hauler licensed by the Connecticut Department of Public Health, demonstrating that the on-site sewage disposal system has been cleaned and serviced within the past four years, must be submitted to the Code Official. The provisions of this section shall not apply to dwelling units that are served by a community sewer system.

§ 130-30. Section 602, Heating Facilities.

SECTION 602, HEATING FACILITIES, is amended as follows:

- A. **602.2 Residential occupancies.** Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68° F. (20° C.) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in the Building Code listed in Chapter 8. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.
- B. **602.3 Heat supply.** Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68° F. (20° C.) in all habitable rooms, bathrooms, and toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required, provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in the Building Code and regulations listed in Chapter 8.

Per Connecticut General Statutes Section 19a-109, a temperature in any residential rental housing unit of less than 65° Fahrenheit in such unit shall be deemed injurious to the health of the occupants thereof and violative of this code.

- C. Delete without substitution: 602.4 Occupiable workspaces.

§ 130-31. Section 604, Electrical Facilities.

SECTION 604, ELECTRICAL FACILITIES, is amended as follows: **604.2 Service.** The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the Building Code and Regulations listed in Chapter 8. Dwelling units shall be served by a three-wire, 120/240-volt, single-phase electrical service having a rating of not less than 60 amperes.

§ 130-32. Section 702, Means of Egress.

SECTION 702, MEANS OF EGRESS, is amended as follows:

- A. **702.1 General.** A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the Building Codes and Regulations listed in Chapter 8.

- B. Delete without substitution: 702.2 Aisles.
- C. **702.3 Locked doors.** All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the Building Codes and Regulations listed in Chapter 8.

§ 130-33. Section 704, Fire Protection Systems.

SECTION, 704, FIRE PROTECTION SYSTEMS, is amended as follows:

- A. **704.1 General.** All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the Building Codes and Regulations listed in Chapter 8.
- B. **704.2 Smoke alarms.** Single- or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:
 - (1) On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
 - (2) In each room used for sleeping purposes.
 - (3) In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split-levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level, provided that the lower level is less than one full story below the upper level.Single- or multiple-station smoke alarms shall be installed in other groups in accordance with the Building Codes and Regulations listed in Chapter 8.

§ 130-34. Chapter 8, Referenced Standards.

CHAPTER 8, REFERENCED STANDARDS, is amended as follows:

The provisions of this code shall be governed by the following:

Connecticut State Building Code and Connecticut Supplement

Connecticut Fire Safety Code

Connecticut Public Health Code

Town of Mansfield Code of Ordinances

Town of Mansfield Zoning Regulations

§ 130-35. Chapter 9, Rental Certification and Inspections.

[Amended 3-26-2007, effective 4-20-2007; 10-14-2014, effective 11-7-2014]

Add CHAPTER 9, RENTAL CERTIFICATION AND INSPECTIONS:

SECTION 901

CERTIFICATION

Findings. The Town Council of the Town of Mansfield finds that inadequate maintenance of residential rental property within the community is a detriment to the public welfare, health and safety.

901.1 Scope. No owner, agent or person in charge of a residential rental housing unit offered for rent within the Town of Mansfield shall allow any person to occupy the same as a tenant or lessee for a valuable consideration, unless the owner, agent or person in charge holds a valid certificate of compliance issued by the Code Official for the specific housing unit.

Exception: The provisions of this chapter shall not apply to those housing units that are:

1. Age-restricted to persons aged 55 and older.
2. Owned by the Mansfield Housing Authority.
3. Owned by the State of Connecticut. This exception shall not include those dwellings or dwelling units located within the Town of Mansfield that are owned by an entity leasing real property from the State of Connecticut.
4. Newly constructed housing units for the first five years after issuance of an initial certificate of occupancy by the Town of Mansfield Building Department.
5. Housing units in any building consisting of no more than four units, one of which is the owner's primary place of residence in which he or she remains for more than half of the calendar year.
6. Single-family dwelling units rented or leased for a period not to exceed one year when the original owner occupant will return to that unit as his or her primary residence at the end of the rental term or lease.
7. Single-family dwelling units sold and rented or leased by the buyer to the seller as a condition of the sale to provide the seller with extended occupancy for a period not to exceed one year.

Implementation Schedule: The provisions of this chapter shall be implemented pursuant to a schedule, hereinafter referred to as the "implementation schedule," developed and maintained by the Code Official. No owner, agent or person in charge of a dwelling or dwelling unit located within the Town of Mansfield shall be found in violation of this chapter until such time as he/she fails to obtain a valid certificate of compliance within the period of time specified by the implementation schedule.

Term of Certificate: Every rental certificate of compliance shall expire pursuant to the date set forth within the implementation schedule. The fee for a certificate of compliance shall be \$150 for the two-year period established pursuant to the schedule.

901.2 Conditions for issuance of certificates. Upon request of the owner, agent or other person authorized to rent a dwelling unit (hereinafter referred to as the "applicant"), the Code Official will be available at an appointed time, within a reasonable amount of time, agreed upon by the Code Official and the applicant, or later if the applicant requests, to inspect such dwelling or dwelling unit. If such inspection establishes that the dwelling or dwelling unit is in substantial compliance with this code, the Code Official shall issue a certificate of compliance for said dwelling or dwelling unit, provided that all fees or other assessments charged against the dwelling or dwelling unit pursuant to this Housing Code have been paid. One copy of the certificate of compliance shall be handed to or sent by mail to the applicant; a second copy shall be posted by the owner or his/her designated agent in a conspicuous location inside the dwelling or dwelling unit for the information of the tenant and shall not be removed by or at the direction of anyone other than the tenant; and a third copy shall be kept on file in the Code Official's office. After the issuance of a certificate, if, upon reinspection pursuant to this code it is determined by the Code Official that the dwelling or dwelling unit is no longer in substantial compliance with this code, the certificate may be revoked by the Code Official in a writing stating the reasons for the revocation.

901.3 Reinspections. If said dwelling or dwelling unit does not comply with the code standards, the Code Official shall furnish the applicant with a written list of the specific violations, which would have to be corrected before a certificate of compliance could be issued for the dwelling or dwelling unit. Upon the representation of the applicant that the listed violations have been corrected, the Code Official shall reinspect said dwelling or dwelling unit and issue a certificate of compliance or a list of violations, as above provided.

901.4 Waiver pending correction. Any applicant who is delayed in correcting violations necessary to entitle him/her to a certificate of compliance and who has a valid contract in writing with a person for the performance of the work may petition the Code Official in writing for a temporary waiver of

compliance. The petition shall contain the information therein which is reasonably necessary for a decision and shall include a written and signed statement by the person under contract to correct the violation, specifying the date of beginning and completion of the work. If the Code Official shall find that the delay in the correction of the violation is reasonable, taking into consideration the availability of persons to do the work and the current work load, and that the work can reasonably be undertaken and completed while the premises are occupied or that appropriate provision has been made for housing the tenant elsewhere during the necessary period when the dwelling or dwelling unit will not be habitable because of the work of correcting the code violation, the Code Official shall issue a temporary waiver of compliance expiring on the date when the corrective work should be completed. The applicant shall, on or before that date, request a reinspection. The Code Official shall reinspect the dwelling or dwelling unit and issue the certificate of compliance or list any remaining violations as above provided.

901.5 Appeals. Any applicant aggrieved by the decision of the Code Official to issue a certificate of compliance may appeal to the Housing Code Board of Appeals as set forth in Section 111, above.

901.6 Violations and penalties. Any owner, agent or other authorized persons who lets for occupancy any dwelling or dwelling unit in the Town of Mansfield and who does not hold a valid certificate of compliance from the Code Official shall be given written notice by said official of said violation by personal service or by certified mail, addressed to said owner, agent or other authorized person in control of the subject property at his/her last known address. Any such person or entity who or which fails to cure such violation within 15 days after the date of such written notice may be assessed a fine of not more than \$100 per day for each and every day that such violation continues, as each day of such continued violation shall be considered a separate violation of this chapter.

SECTION 902 INSPECTIONS

902.1 Scope. The Code Official is hereby authorized and directed to make periodic inspections within the purview of this chapter and such inspections as are required by a code compliance program of the Town of Mansfield, by and with the consent of the owner, occupant or person in charge, to determine the condition of dwellings, dwelling units, rooming units and premises within this Town for the purpose of determining compliance with the provisions of this chapter or this code. Occupants may also request inspections under this chapter or this code.

A. For the purpose of making such inspections, the Code Official, with the consent of the owner, occupant or person in charge, is hereby authorized to enter, examine and survey all dwellings, dwelling units, rooming units and premises at such time mutually satisfactory to and agreed upon by the Code Official and the owner or occupant of a dwelling, dwelling unit or rooming unit or the person in charge thereof. Such inspection, examination or survey shall not have for its purpose the undue harassment of the owner or occupant, and such inspection, examination or survey shall be made so as to cause the least amount of inconvenience to said owner or occupant, consistent with an efficient performance of the duties of the Code Official. To further ensure that the policy of this chapter, which is to achieve compliance through cooperation of owners and occupants, shall be successfully maintained, it shall be the practice of the Code Official, whenever practicable, to provide reasonable advance notice to owners and/or occupants of projected special inspections or inspections of a routine nature. Ultimately, no owner or occupant of a residential rental housing unit or rooming unit may unreasonably withhold from the Code Official consent to access the premises for the purpose of performing any inspection authorized by this code.

B. The occupant of each dwelling, dwelling unit, rooming unit or premises, or the person in charge thereof, upon presentation by the Code Official of his/her proper credentials, may give the Code Official entry to the dwelling, dwelling unit, rooming unit or premises and free access to every part thereof.

C. Whenever an owner, occupant or person in charge of a dwelling, dwelling unit, rooming unit or premises shall deny the Code Official right of entry for the purpose of inspection, examination or survey, the Code Official shall not enter until he/she presents a duly issued search warrant or other written authorization describing the dwelling, dwelling unit, rooming unit or premises to the owner, occupant or person in charge thereof.

D. Nothing in this section shall be construed to preclude the entry of the Code Official at any time when, in his/her judgment, an emergency tending to create an immediate danger to the public welfare or safety exists, or when such entry is requested by the owner, occupant or person in charge of the dwelling, dwelling unit, rooming unit or premises, or when the Code Official presents a duly issued search warrant to said owner or occupant or person in charge thereof.

902.2 Access to remedy. Per Connecticut General Statutes Section 47a-16, every occupant of a residential rental housing unit or rooming unit shall not unreasonably withhold from the owner thereof, or his/her agent or employee, consent to access any part of such dwelling, dwelling unit or rooming unit, or its premises, for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this chapter or with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this chapter.

Chapter 152. Rental Property

Article I. Landlord Registration

§ 152-1. Title.

This article shall be known and may be cited as the "Ordinance Regarding Landlord Registration" or "Landlord Registration Ordinance."

§ 152-2. Legislative authority.

This article is enacted pursuant to the provisions of Connecticut General Statutes §§ 47a-6a, 47a-6b, and 7-148.

§ 152-3. Findings and purpose.

The Town Council of the Town of Mansfield finds that the identification and knowledge of the whereabouts of nonresident owners of residential rental housing units in the Town of Mansfield is in the best interests of the community and will promote the public welfare, health and safety of the people of Mansfield. Accordingly, pursuant to the authority granted to municipalities by Connecticut General Statutes §§ 47a-6a, 47a-6b, and 7-148, the Town of Mansfield seeks to better protect, preserve and promote the health, safety, welfare and quality of life of its people by requiring nonresident owners of residential rental housing units to comply with this article.

§ 152-4. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ADDRESS

A location as described by the full street number, if any, the street name, the city or town, and the state, and not a mailing address such as a post office box.

AGENT IN CHARGE

One who manages real estate, including, but not limited to, the collection of rents and supervision of property.

NONRESIDENT OWNER

Of a residential rental housing unit means any owner of such property who does not reside in any such unit or its associated premises, which is owned by her or him.

§ 152-5. Applicability.

This article shall apply to all existing occupied or vacant residential rental housing units and their associated premises in the Town of Mansfield, except that residential housing units that are the property of the State of Connecticut shall be exempt. This exemption shall not include residential rental housing units owned by an entity leasing real property from the State of Connecticut.

§ 152-6. Registration required; fees.

- A. By January 1, 2007, any nonresident owner of an existing occupied or vacant residential rental housing unit shall be required to file and maintain on file in the Office of the Building and Housing Inspection of the Town of Mansfield the current residential address of the nonresident owner of such property, if the owner is an individual. If a nonresident owner is a corporation, partnership, trust or other legal recognized entity, then the current residential address of the agent in charge of the building shall be filed in the Office of the Building and Housing Inspection of the Town.
- B. If such residential address changes, notice of the new residential address shall be provided by such nonresident owner or agent in charge of the building to the Office of the Building and Housing Inspection of the Town of Mansfield not more than 21 days after the date that the address change occurred.
- C. Each such nonresident owner or agent shall pay a fee of \$25 for each initial registration and a fee of \$10 for each notice of residential address change. Any owner or agent who fails to pay any such fee at the time of registration or notice may be fined \$90.
[Amended 7-9-2007, effective 8-6-2007]
- D. If any such nonresident owner or agent fails to maintain on file an address as required by this section, the address to which the Town mails property tax bills for the residential rental housing unit shall be deemed to be the nonresident owner's or agent's current address. Such address may be used for compliance with the provisions of Subsection E of this section.
- E. Service of state or municipal orders relating to maintenance of any such residential rental housing unit or compliance with state law and local codes concerning such real property directed to the nonresident owner or agent at the address on file, or deemed to be on file in accordance with the provisions of this section, shall be sufficient proof of service of notice of such orders in any subsequent criminal or civil action against the nonresident owner or agent for failure to comply with the orders.
- F. Any person who violates any provision of this section shall have committed an infraction.

§ 152-7. Penalties for offenses; notice of assessment; appeals.

- A. As provided in Connecticut General Statutes §§ 47a-6a and 47a-6b, any nonresident owner or agent who shall violate any provisions of this article shall be assessed a civil penalty of not more than \$250 for the first violation and not more than \$1,000 for any subsequent violation.
- B. The Office of the Building and Housing Inspection of the Town of Mansfield shall send notice of the assessment to the nonresident owner or agent of the property that is the subject of the violation.
- C.

Any person who is assessed a civil penalty pursuant to this section may appeal therefrom to the Superior Court. An appeal shall be instituted not later than 30 days after the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to § 52-259 of the Connecticut General Statutes, at the Superior Court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the judges of the Superior Court.

§ 152-8. Construction of terms.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of either gender shall include both genders.

Chapter 152. Rental Property

Article II. Off-Street Parking

§ 152-9. Title.

This article shall be known and may be cited as the "Ordinance Regarding Residential Rental Parking."

§ 152-10. Legislative authority.

This article is enacted pursuant to the provisions of C.G.S. § 7-148 et seq., as amended.

§ 152-11. Findings and purpose.

The Town Council of the Town of Mansfield finds that motor vehicle parking at numerous residential rental properties, particularly those with one, two or three dwelling units, has created, on a regular and frequent basis, unsafe, blighted and congested conditions and other negative neighborhood impacts within the Town. This situation has been most common on properties within the Town's Rental Certification Zone that do not have adequately sized and delineated parking areas that safely accommodate all residents and their guests. The requirements set forth in this article will promote neighborhood compatibility and the general safety, health and welfare of the people of Mansfield by helping to ensure safe vehicular and pedestrian ingress and egress, safe emergency vehicle and personnel ingress and egress and the preservation and enhancement of neighboring property values.

§ 152-12. Definitions.

For the purposes of this article, the words and phrases used herein shall have the following meanings, unless otherwise clearly indicated by the context:

DWELLING UNIT

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

LOT

A tract, plot, parcel or other unit of land having fixed boundaries designated on a plot, survey or assessor's map, or in a deed.

RESIDENTIAL RENTAL PROPERTY

Any lot containing one, two or three rental dwelling units.

§ 152-13. Applicability.

This article shall apply to any such residential rental property situated within the Rental Certification Zone of the Town of Mansfield established in the Housing Code, § 130-35 of the General Code of the Town of Mansfield, except residential rental property owned by the State of Connecticut and residential rental property containing a dwelling unit which is the primary place of residence of the owner in which he or she remains for more than one-half of the calendar year, which are exempt. To qualify for exemption, any such owner-occupant must be the record owner of a minimum 50% fee simple interest in said residential rental property in his or her personal individual capacity only.

§ 152-14. Parking space site plan requirements.

Any residential rental property within the Town's Rental Certification Zone shall contain designated and approved parking spaces set forth in a parking space site plan in compliance with the following standards:

- A. All nonexempt on-site parking on any residential rental property within the Town's Rental Certification Zone shall be in spaces designated in a parking space site plan submitted by the property owner and approved by the Town per the requirements of this section as set forth below. Any parking violation of any such plan may subject such parking violator to citation and fine pursuant to § 152-18 of this article.
- B. Subsequent to that date which is 30 days after written notification by the Town to a residential rental property owner of the requirements of this article and its applicability to the owner's residential rental property, no certificate of compliance required by the Housing Code of the Town of Mansfield may be issued to an owner of such residential rental property or renewed, unless the owner has submitted a parking space site plan to the designated Town official and gained official approval of the plan. Any violation of this subsection may subject any such property owner to citation and fine pursuant to § 152-18 of this article.
- C. All site work required to implement an approved parking space site plan shall be completed within 90 days of said approval unless an extension of time is sought and secured pursuant to § 152-17 of this Article. Any violation of this subsection may subject any such property owner to citation and fine pursuant to § 152-18 of this article.
- D. To satisfy the requirements of this article, any residential rental property owner within the Town's Rental Certification Zone shall submit to the designated agent of the Town of Mansfield for approval a drawn-to-scale parking space site Plan of the owner's residential rental property that depicts property lines, driveways, sidewalks/bicycle paths, dwellings and structures, all proposed on-site parking spaces, existing and proposed landscaped areas, trees over 12 inches in diameter (measured five feet above grade) within the area where parking is proposed, fencing, and other site features that may affect parking locations. In addition, the site plan shall detail the surface material of the proposed spaces. Any failure to satisfy the requirements of this Section is a plan violation which may subject such owner to a citation and fine pursuant to § 152-18 of this article. To be approved, any such parking space site plan shall meet the following criteria, except that a modification of the criteria may be sought and secured in proper circumstances, per § 152-16 of this article:
 - (1) The number of proposed on-site spaces shall be adequate for all tenant vehicles and a limited number of guest vehicles. Depending on site and occupancy characteristics, a minimum of two exterior spaces and a maximum of six exterior spaces shall be provided per dwelling unit.
 - (2) No parking space shall be located within five feet of a roadside sidewalk or bicycle path.

- (3) Parking spaces shall be a minimum of eight feet wide and 18 feet long.
 - (4) Parking spaces shall be designed so that a backing-up movement onto an adjacent street is not required.
 - (5) Except for parking areas immediately adjacent to an existing site driveway or parking areas situated over 100 feet from a street, parking shall not occur between the street and the subject dwelling.
 - (6) Parking spaces shall be paved or surfaced with an acceptable dust-free surface such as compacted stone, stone dust or gravel. Lawn areas or other landscaped areas are not acceptable surfaces for parking spaces.
 - (7) No existing landscape area or lawn area shall be disturbed and no tree over 12 inches in diameter shall be removed to create new parking spaces, unless no other acceptable parking spaces can be established on site.
 - (8) Parking spaces shall be designed and graded to address potential drainage and/or winter icing problems, and suitable areas shall be provided for snow storage.
 - (9) There shall be a permanent barrier or barriers separating the parking area from the rest of the site.
 - (10) Any necessary Inland Wetland Agency or Public Works Department permits shall be obtained prior to parking space site plan approval pursuant to this article.
- E. Upon approval, a copy of the approved site plan must be posted and maintained within the dwelling unit.
[Added 11-12-2013, effective 12-11-2013]

§ 152-15. Fees.

A parking place site plan review fee in the amount of \$35 per dwelling unit must be submitted to the Town along with the proposed site plan. No review will be done and no approval will be granted prior to payment in full of this fee.

§ 152-16. Modification of parking space site plan.

In a situation where a parking area without observable or known traffic safety or neighborhood impact problems was established prior to the effective date of this article, or if lot size or configuration, structure locations, topography and other site constraints or other documented factors would make strict compliance with the criteria of § 152-14 unreasonable, the Town-designated official(s) reviewing a parking space site plan is authorized to approve modifications of the § 152-14 criteria. No modification shall be approved that would result in an unsafe situation or one that would be inconsistent with the findings and purpose contained in § 152-11. The details of any modification permitted by this section must be recorded and entered into an appropriate Town file.

§ 152-17. Extension of time; temporary waiver of compliance.

Any applicant who has a written contract for the performance of work necessary to comply with this article but whose implementation of required parking improvements is delayed may submit a written

petition to an authorized Town official seeking a temporary waiver of compliance. The petition shall include information reasonably necessary for the Town official to make a decision and include a signed statement by the contractor specifying the date of beginning and expected date of completion of the work. If the Town official finds that the delay is reasonable, said official may issue a temporary waiver of compliance expiring on the date when the work should be completed. The applicant shall request a site inspection by the Town official on or before such date of completion. Upon notification that the required improvements have been completed, the designated Town official shall inspect the property and either confirm compliance or list any violations of this article that remain. Failure to complete improvements within an authorized extension of time may subject the property owner to citation and fine pursuant to § 152-18 of this article.

§ 152-18. Enforcement; violations; citations and fines.

- A. The Town Manager shall designate in writing one or more Town officials empowered to take enforcement or other action authorized by this article.
- B. Any person violating the provisions of this article by failing to file or gain approval of a parking space site plan, by failing to complete site work required by an approved parking space site plan within the time period required or authorized by this article, failing to post and maintain a copy of the approved site plan within the dwelling unit, or by parking in an area on residential rental property not designated for parking in a Town-approved parking space site plan shall be deemed to have committed an infraction and may be issued a citation. Said citation shall inform the person named therein of the allegations against him or her, the amount of the fine due, and the date on which payment of the fine is due. Said citation shall be hand delivered, affixed to the vehicle or property, or mailed by certified mail, return receipt requested, addressed to the person named therein at his or her last known address. Citations shall be punishable with a fine of \$90 for each violation. The amount of any fine not paid within 10 days shall be doubled. Any initial violation or infrequent violation may be addressed through the issuance of a warning rather than a citation, unless a significant safety or neighborhood impact problem is observed or significant damage has been done to a lawn or other landscape area due to parking in an unauthorized area.
[Amended 11-12-2013, effective 12-11-2013]
- C. In addition to any other remedy authorized by this article, if any such fine issued pursuant to the provisions of this article is unpaid beyond the due date, the Town may initiate proceedings under the authority of C.G.S. § 7-152c and Chapter 129 of the General Code of the Town of Mansfield, Hearing Procedure for Citations, to collect any such fine.

§ 152-19. Appeals procedure.

Any person fined pursuant to this article may appeal such fine pursuant to the provisions of the Town of Mansfield Hearing Procedure for Citations set forth in Chapter 129 of the General Code of the Town of Mansfield.

§ 152-20. Word usage.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of either gender shall include both genders.

Chapter 131. Litter

§ 131-1. Title.

This chapter shall be known and may be cited as the "Ordinance Regulating Litter" or "Litter Ordinance."

§ 131-2. Legislative authority.

This chapter is enacted pursuant to the provisions of C.G.S. § 7-148 et seq., as amended.

§ 131-3. Findings and purpose.

The Town Council of the Town of Mansfield finds that the improper dispersion of litter and garbage within the community creates a public health hazard and blight, and is therefore detrimental to the general welfare, health and safety of the people of Mansfield. Therefore, pursuant to the various police, health and public safety powers granted to municipalities under C.G.S. § 7-148, the Town of Mansfield seeks to protect, preserve and promote the health, safety, welfare and quality of life of its people by regulating the dispersion of litter and garbage.

§ 131-4. Definitions.

For the purpose of this chapter, the words and phrases used herein shall have the following meanings, unless otherwise clearly indicated by the context:

BLIGHT or BLIGHTED PREMISES

Any parcel of land where at least one of the following conditions exists:

- A. It has been determined by an Enforcement Officer, acting within the scope of his/her authority, that a condition exists that poses a serious or immediate threat to the health, safety or general welfare of the community.
- B. The property is in a physically deteriorating condition causing unsafe or unsanitary conditions or a nuisance to the general public, as evidenced by one or more of the following conditions:
 - (1) Rodent harborage and/or infestation.
 - (2) Persistent and substantial litter, garbage or rubbish on the property.
- C. The overall condition of the property causes an unreasonable impact on the enjoyment of or value of neighboring properties as evidenced, for example, by complaints or statements of witnesses, photographs, code violations, reports or inspection by an Enforcement Officer.

ENFORCEMENT OFFICER

One or more employees or agents of the Town, designated by the Town Manager to enforce the provisions of this chapter.

GARBAGE

Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

LITTER

Any discarded, used or consumed substance or waste material, garbage or rubbish, which has not been deposited in a refuse receptacle.

PARK

A park, reservation, playground, recreation center or any other public area in Town, owned or used by the Town and devoted to active or passive recreation.

PERSON

Any individual, firm, partnership, association, syndicate, company, trust, corporation, limited-liability company, municipality, agency, or political or administrative subdivision of the state or other legal entity of any kind.

PRIVATE PREMISES

Any dwelling, house, building, or other structure, designed or used, either wholly or in part, for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, sidewalk and abutting edge of the street, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

PUBLIC PLACE

Any area that is used or is held out for use by the public, whether owned or operated by public or private interests.

REFUSE

Shall mean both garbage and rubbish.

RUBBISH

Nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood glass, bedding, crockery and similar materials.

VEHICLE

Every device in, upon or by which any person or property is or may be transported or drawn upon a highway.

§ 131-5. Littering in public places.

No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the Town except in public receptacles, in authorized private receptacles for collection, or in official Town disposal areas.

§ 131-6. Placing of litter in receptacles.

Persons placing litter in public receptacles or in private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

§ 131-7. Sweeping litter into public places; duty to keep sidewalks clean.

No person shall sweep into or deposit in any gutter, street or other public place within the Town the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning, controlling or occupying property shall keep the sidewalk or abutting edge of the street in front of their premises free of litter.

§ 131-8. Duty of merchants.

No person owning, controlling or occupying a place of business shall sweep into or deposit in any gutter, street or other public place within the Town the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning, controlling or occupying places of business within the Town shall keep the sidewalk or abutting edge of the street in front of their business premises free of litter.

§ 131-9. Throwing litter from vehicles.

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the Town, or upon private property.

§ 131-10. Vehicles causing litter.

No person shall drive or move any truck or other vehicle within the Town unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street or other public place, or upon private property.

§ 131-11. Litter in parks.

No person shall throw or deposit litter in any park within the Town except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public place or upon private property. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided herein.

§ 131-12. Littering fountains or bodies of water.

No person shall throw or deposit or cause to be blown, scattered, spilled or otherwise dispose of any litter in any fountain, pond, lake, stream, or other body of water in a park or elsewhere within the Town.

§ 131-13. Litter on private property.

No person shall throw or deposit litter on any private property within the Town, whether owned by such person or not, except that the owner or person in control of occupied private property may maintain private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

§ 131-14. Duty to maintain premises free of litter and blight.

The owner, agent, tenant or person in control of any private property shall at all times maintain the premises free of litter and blight; provided, however, that this section shall not prohibit the storage of litter in private receptacles for collection.

§ 131-15. Enforcement; violations and penalties.

Enforcement of this chapter shall be as follows:

- A. The Town Manager shall designate one or more Enforcement Officers, who are empowered to take such enforcement actions as authorized in this chapter.
- B. Any person violating the provisions of this chapter shall be deemed to have committed an infraction and may be issued a citation. Said citation shall inform the person named therein of the allegations against him or her, the amount of the fine due, and the date on which payment of the fine is due, which shall be no later than 10 days after the date of the citation. Said citation shall be hand delivered or mailed by certified mail, return receipt requested, addressed to the person named therein at his or her last known address. Citations shall be punishable with a fine of \$90 dollars for each violation. Each separate day that a violation exists after the issuance of a citation shall be subject to a separate additional fine without the issuance of a separate citation.
- C. In lieu of issuing a citation per § 131-15B of this chapter, the Enforcement Officer may serve written notice of the violation(s) of this chapter to the owner, agent, tenant or person in control of any occupied or vacant property within the Town. Such notice shall be hand delivered or mailed by certified mail, return receipt requested, addressed to said owner, agent, tenant or person in control of the subject property at the last known address. Such notice shall state the violation(s) as outlined hereinafter, demand its correction within 10 calendar days, and state that if the person cited fails to correct the violation before the deadline, the Town may issue a citation to the owner, agent, tenant or person in control of the subject property per § 131-15C of this chapter.
- D. In addition to any other remedy authorized by this chapter, if any such fine issued pursuant to the provisions of this chapter is unpaid beyond the due date, the Town may initiate proceedings under the authority of C.G.S. § 7-152c and Chapter 129, Hearing Procedure for Citations, to collect such fine.

§ 131-16. Removal by Town.

- A. Notice to remove. In lieu of or in addition to the remedies authorized in § 131-15 of this chapter, the Enforcement Officer is authorized and empowered to notify the owner, agent, tenant or person in control of any occupied or vacant private property within the Town to properly dispose of litter located on the subject property that is in violation of this chapter. Such notice shall be by

certified mail, addressed to said owner, agent, tenant or person in control of the subject property at his/her last known address.

- B. Action upon noncompliance. Upon the failure, neglect or refusal of any owner, agent, tenant or person in control of the subject property so notified to properly dispose of litter or blight within 10 days after receipt of the written notice provided for in Subsection A above, the Enforcement Officer is hereby authorized and empowered to pay for the disposing of such litter or to order its disposal by the Town.
- C. Recorded statement constitutes lien. Upon completion of such work, the Enforcement Officer shall determine the reasonable cost thereof and bill the owner, agent, tenant or person in control of the subject property. Upon failure of the owner, agent, tenant or person in control of the subject property to remit to the Town the amount of such charge within 30 days from the date of such notice, the Enforcement Officer, within 90 days from the date of such notice, shall record in the land records of the Town a sworn statement showing the cost and expense incurred for the work, the date the work was performed and the location of the property on which said work was performed. The recordation of such sworn statement shall constitute a lien and privilege on the property and shall remain in full force and effect for the amount due in principal and legal interest, plus costs in court, if any, for collection, until final payment has been made. Sworn statements recorded in accordance with the provisions hereof shall be prima facie evidence that all work has been completed properly and satisfactorily, and shall be full notice to every person concerned that the amount of the statement, plus interest, constitutes a charge against the property designated or described in the statement and the same is due and collectible as provided by law. Said lien shall have the same effect and may be foreclosed in the same manner as a tax lien.

§ 131-17. Appeals procedure.

Any person fined pursuant to this chapter may appeal such fine pursuant to the provisions of Chapter 129, Hearing Procedure for Citations.

§ 131-18. Word usage.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of either gender shall include both genders.

Chapter 135. Nuisances

Article I. Prevention of Neighborhood Nuisances

§ 135-1. Title.

This article shall be known and may be cited as the "Ordinance to Prevent Neighborhood Nuisances."

§ 135-2. Legislative authority

This article is enacted pursuant to the provisions of C.G.S. § 7-148 et seq., as amended.

§ 135-3. Findings and purposes.

- A. It is found by the Town Council of the Town of Mansfield that a significant number of persons in the Town occasionally engage in behavior which constitutes a nuisance. Nuisance behavior includes, but is not limited to, disturbances of the peace, disorderly conduct, underage drinking, obstruction of public streets by crowds or vehicles, crimes against property and excessive noise, separately or sometimes in combination.
- B. Nuisance conduct has a negative effect upon residents and occupants of adjacent homes and structures, impacts the quality of life of neighborhoods, and tends to depress the value of nearby property. This problem is in part due to local circumstances present in few, if any, other towns statewide. To the extent that tenants are involved in such nuisance behavior, landlords can help to remedy the problem because they control tenant selection, and may determine whether to dispossess a tenant.
- C. The Town of Mansfield has engaged in a sustained, concerted effort to address these and similar issues. The Town Council expects that by discouraging nuisance activity and encouraging local landlords to prevent nuisance behavior by their tenants, this article will combine with other recently enacted ordinances to promote neighborhood peace and compatibility, and protect the general health, safety and welfare of the people of Mansfield.

§ 135-4. Definitions

For the purposes of this article, the words and phrases used herein shall have the following meanings, unless otherwise clearly indicated by the context:

ADJACENT PREMISES

Premises contiguous to premises on which there is activity that is a nuisance per this article, to which said activity has moved or spread.

DWELLING UNIT

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

LANDLORD

The owner, lessor or sublessor of a dwelling unit, the building of which it is a part, or the premises.

NUISANCE

Any behavior which substantially interferes with the comfort or safety of other residents or occupants of the same or nearby buildings or structures. Conduct of a person or persons on any premises in a manner which is a violation of law, or which creates a disturbance of the quiet enjoyment of private or public property, may constitute a nuisance. Such behavior includes disorderly, indecent, tumultuous or riotous conduct. Unlawful conduct includes, but is not limited to, individually or in combination with other misbehavior, excessive pedestrian and vehicular traffic, obstruction of public streets by crowds or vehicles, illegal parking, the service of alcohol to underage persons, underage drinking, fights, creating a public disturbance, breach of the peace, trespassing, disorderly conduct, littering, simple assault, threatening, harassment, illegal burning or use of fireworks, urinating or defecating in public, lewdness, criminal mischief, crimes against property, or excessive noise. The knowing failure of any tenant to act responsibly to require any resident of the same premises or guest on his or her rented premises or adjacent premises with the consent of the tenant or his or her co-resident to refrain from behavior constituting a nuisance under this article shall itself be a nuisance.

[Amended 8-27-2012, effective 9-25-2012]

PREMISES

A tract of land, including buildings thereon, appurtenances, grounds, and any public right-of-way immediately adjacent to any such tract of land.

TENANT

The lessee, sublessee or person entitled under a rental agreement, written or not, to occupy a dwelling unit or premises to the exclusion of others or as is otherwise defined by law.

§ 135-5. Applicability.

This article shall apply to any premises situated within the Town of Mansfield.

§ 135-6. Enforcement; penalties for offenses.

- A. In addition to the police, the Town Manager shall designate, in writing, one or more Town officials empowered to take enforcement or other action authorized by this article.
- B. Warning; fine; notice of violation.
 - (1) Each commission of a nuisance activity as defined herein on any premises or adjacent premises shall be a violation of this article, thereby authorizing any designated Town official or police officer to issue a written warning to an offender or to assess a fine of \$250 per violation. In his or her exercise of discretion under this section, any such official or police officer shall be guided by the stated purposes of this article, among other things.
 - (2) Written notice of any such violation shall be hand delivered or sent via certified mail to the offender. Any fine shall be payable within 30 calendar days of the date of issuance of the notice. If any such offense was committed on the residential rental premises of a landlord by his or her tenant or by the guest of any such tenant of the landlord, a copy of such notice of

violation and a warning of the provisions of § 135-6C of this article shall be hand delivered or sent by certified mail to the landlord of any offending tenant or his or her guest.

- C. If any police officer or other duly authorized Town official issues any notice of violation of this article by and pertaining to any tenants or any of their guests to any landlord of the same residential rental premises on more than two occasions in any six-month period, or more than three times within nine months, or more than four times within one year, as measured from the date of the first instance of nuisance, the Town Manager, or his designee, per Subsection A of this section, in his or her discretion, guided by the stated purposes of this article and the laws of this state and the Town of Mansfield, may hold the landlord of any tenant(s) or guest(s) who perpetrated such additional acts of nuisance legally responsible for a fine of \$250 for each such additional instance of nuisance committed by any tenant of the landlord or guest of such tenant. Prompt notice of any such violation by a landlord shall be hand delivered or sent via certified mail to the landlord. The fine shall be payable within 30 days of the date of issuance of said notice.
- D. In addition to any other remedy authorized by this article, if any such fine issued pursuant to this article is unpaid beyond the due date, the Town may initiate proceedings under the authority of C.G.S. § 7-152c and Chapter 129, Hearing Procedure for Citations, of the Code of the Town of Mansfield, to collect the fine.
- E. Nothing in this article shall limit the ability of the authorities to initiate and prosecute any criminal offense or provisions of any other applicable Town ordinance arising from the same circumstances resulting in the application of this article. The police, in their discretion, guided by the stated purposes of this article and the law enforcement provisions and purposes of the laws of the State of Connecticut and the Town of Mansfield, may disperse any participants in any activity constituting a nuisance per this article.

§ 135-7. Appeals.

Any person fined pursuant to this article is entitled to a hearing procedure and judicial review, if necessary, pursuant to the provisions of the Town of Mansfield hearing procedure for citations set forth in Chapter 129 of the Code of the Town of Mansfield, as required by C.G.S. § 7-152c.

§ 135-8. Word usage.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of either gender shall include both genders.



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MH*
CC: Maria Capriola, Assistant Town Manager; Cynthia van Zelm,
 Executive Director of the Mansfield Downtown Partnership, Inc.;
 Kevin Deneen, Town Attorney
Date: November 9, 2015
Re: Proposed Amendments to Ordinance Regarding Alcoholic
 Beverages

Subject Matter/Background

At the October 13, 2015 Council meeting, staff presented a series of amendments to ordinances, new ordinances, policies, and procedures related to alcoholic beverages, dog waste control, Streets and Sidewalks, and the Mansfield Town Square. At the meeting, the Town Council appointed Councilors Kegler, Kochenburger, Moran, Raymond, and Shapiro to serve on the Town's Ordinance and Review Subcommittee to review the following:

- 1) Proposed Amendments to Ordinance Regarding Alcoholic Beverages
- 2) Proposed Ordinance Regarding Dog Waste Control
- 3) Proposed Ordinance Regarding the Mansfield Town Square
- 4) Proposed Amendments to Ordinance Regarding Streets and Sidewalks
- 5) Proposed Policies and Procedures Regarding Public Use of the Mansfield Town Square
- 6) Proposed Policies and Procedures for the Use of Alcohol on the Mansfield Town Square
- 7) Proposed Policies Regarding Street Performers in Mansfield Town Square

The Subcommittee met on October 26, 2015 and moved to refer the proposed Amendments to the Alcoholic Beverages Ordinance as well as the proposed Ordinance Regarding Dog Waste Control to the Council for the purpose of setting a public hearing date.

The Subcommittee began its discussion of the Proposed Ordinance Regarding the Mansfield Town Square and tabled this item to a future meeting.

Recommendation

The Ordinance Development and Review Committee has referred the proposed Amendments to the Alcoholic Beverages Ordinance to the Council for the

purpose of setting a public hearing date to solicit public comment on the proposed amendment.

If the Town Council supports this recommendation, the following motion would be in order:

Move, to schedule a public hearing for 7:30 PM at the Town Council's regular meeting on November 23, 2015 to solicit public comment on the proposed Amendments to the Alcoholic Beverages Ordinance.

Attachments

- 1) Proposed Amendments to Ordinance Regarding Alcoholic Beverages (redline)
- 2) Proposed Amendments to Ordinance Regarding Alcoholic Beverages (clean copy)



**Town of Mansfield
Code of Ordinances**

"Amendments to Ordinance Regarding Alcoholic Beverages"
October 13 November 9, 2015 Draft

Chapter 101: Alcoholic Beverages

Section 101-5; Possession and Consumption of Alcoholic Liquor

- A. Except as otherwise permitted by subsection (B) hereof, no person shall consume any alcoholic liquor, or have in his or her possession any open container of alcoholic liquor, while upon or within the limits of any public highway, public area or parking area within the Town of Mansfield. The possession of an open container of alcoholic liquor or consumption therefrom by any person while in a motor vehicle parked within or upon a public area shall also be a violation hereof.
- B. Exceptions.
1. Consumption of alcoholic liquor and possession of any open container of alcoholic liquor is permitted during any public function, festival or celebration being conducted within a public building, public highway, sidewalk or parking area or on public land pursuant to a written permit issued by the town manager, or person designated by the town manager to issue such permits, authorizing the sale, service or distribution of alcoholic liquor at or in connection with such function, festival or celebration.
 2. An application for a permit shall be in writing directed to the town manager. The application shall state the name and address of responsible officials of the organization sponsoring the function, festival or celebration (event), shall specify the parts of the public land, public building, public highway, sidewalk or parking area to be used during the event, specify the beginning and ending time of the event and if it continues for more than one (1) day, the hours in each day it is to be conducted, the number of people to be in attendance at the event, whether the event is open to the public; and arrangements for supervision. The application shall include alcohol liability insurance. The certificate of insurance must specify the "Town of Mansfield, its officers, employees and agents" as additional insured parties and must be submitted to the Town Manager together with the application. The application and accompanying documentation shall be filed at least ten (10) calendar days before the first day of the event and the permit shall be issued or denied in writing at least four (4) calendar days before the first day of the event. The permit shall be issued if all of the required information is provided, the application is made at least ten (10) days before the event, the town manager or his designee determines that the event will be open to the public and that all necessary permits, licenses and approvals have been obtained from all government authorities having jurisdiction including, but not

limited to, the state department having jurisdiction over liquor control and the granting of the permit will be in accord with the health, safety, and welfare of the Town of Mansfield. (The town manager is authorized to issue additional standards not inconsistent herewith which if not met will result in denial of said permit.)



**Town of Mansfield
Code of Ordinances**

"Amendments to Ordinance Regarding Alcoholic Beverages"
November 9, 2015 Draft

Chapter 101: Alcoholic Beverages

Section 101-5, Possession and Consumption of Alcoholic Liquor

- A. Except as otherwise permitted by subsection (B) hereof, no person shall consume any alcoholic liquor, or have in his or her possession any open container of alcoholic liquor, while upon or within the limits of any public highway, public area or parking area within the Town of Mansfield. The possession of an open container of alcoholic liquor or consumption therefrom by any person while in a motor vehicle parked within or upon a public area shall also be a violation hereof.
- B. Exceptions.
1. Consumption of alcoholic liquor and possession of any open container of alcoholic liquor is permitted during any public function, festival or celebration being conducted within a public building, public highway, sidewalk or parking area or on public land pursuant to a written permit issued by the town manager, or person designated by the town manager to issue such permits, authorizing the sale, service or distribution of alcoholic liquor at or in connection with such function, festival or celebration.
 2. An application for a permit shall be in writing directed to the town manager. The application shall state the name and address of responsible officials of the organization sponsoring the function, festival or celebration (event), shall specify the parts of the public land, public building, public highway, sidewalk or parking area to be used during the event, specify the beginning and ending time of the event and if it continues for more than one (1) day, the hours in each day it is to be conducted, the number of people to be in attendance at the event, whether the event is open to the public; and arrangements for supervision. The application shall include alcohol liability insurance. The certificate of insurance must specify the "Town of Mansfield, its officers, employees and agents" as additional insured parties and must be submitted to the Town Manager together with the application. The application and accompanying documentation shall be filed at least ten (10) calendar days before the first day of the event. The permit shall be issued if all of the required information is provided, the application is made at least ten (10) days before the event, the town manager or his designee determines that the event will be open to the public and that all necessary permits, licenses and approvals have been obtained from all government authorities having jurisdiction including, but not limited to, the state department having jurisdiction over liquor control and the granting of the permit will be in accord with the health, safety, and welfare of the Town of Mansfield. (The town manager is

authorized to issue additional standards not inconsistent herewith which if not met will result in denial of said permit.)



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Matt Hart, Town Manager *MH*
CC: Maria Capriola, Assistant Town Manager; Cynthia van Zelm,
Executive Director of the Mansfield Downtown Partnership, Inc.;
Kevin Deneen, Town Attorney
Date: November 9, 2015
Re: Proposed Ordinance Regarding Dog Waste Control

Subject Matter/Background

At the October 13, 2015 Council meeting, staff presented a series of amendments to ordinances, new ordinances, policies, and procedures related to alcoholic beverages, dog waste control, Streets and Sidewalks, and the Mansfield Town Square. At the meeting, the Town Council appointed Councilors Kegler, Kochenburger, Moran, Raymond, and Shapiro to serve on the Town's Ordinance and Review Subcommittee to review the following:

- 1) Proposed Amendments to Ordinance Regarding Alcoholic Beverages
- 2) Proposed Ordinance Regarding Dog Waste Control
- 3) Proposed Ordinance Regarding the Mansfield Town Square
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- 5) Proposed Policies and Procedures Regarding Public Use of the Mansfield Town Square
- 6) Proposed Policies and Procedures for the Use of Alcohol on the Mansfield Town Square
- 7) Proposed Policies Regarding Street Performers in Mansfield Town Square

The Subcommittee met on October 26, 2015 and moved to refer the proposed Amendments to the Alcoholic Beverages Ordinance as well as the proposed Ordinance Regarding Dog Waste Control to the Council for the purpose of setting a public hearing date.

The Subcommittee began its discussion of the Proposed Ordinance Regarding the Mansfield Town Square and tabled this item to a future meeting.

Recommendation

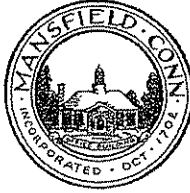
The Ordinance Development and Review Committee has referred the proposed Dog Waste Control Ordinance to the Council for the purpose of setting a public hearing date to solicit public comment on the proposed legislation.

If the Town Council supports this recommendation, the following motion would be in order:

Move, to schedule a public hearing for 7:30 PM at the Town Council's regular meeting on November 23, 2015 to solicit public comment on the Proposed Ordinance Regarding Dog Waste Control.

Attachments

- 1) Proposed Ordinance Regarding Dog Waste Control



**Town of Mansfield
Code of Ordinances**
"Ordinance Regarding Dog Waste Control"
October 13, 2015 Draft

Chapter 102. Animals

Article II [New] Dogs

Section 102-13. Title.

This Article shall be known and may be cited as "The Dog Waste Control ordinance."

Section 102-14. Legislative Authority.

This Article is enacted pursuant to the provisions of Sections 7-148 and 7-152c of the Connecticut General Statutes.

Section 102-15. Definitions.

When used in this Article, the following words, terms and phrases, and their derivations shall have the meanings ascribed to them in this Section, except where the content clearly indicates a different meaning.

DOG: shall mean any member of the canine species, male, female, neutered male or spayed female.

OWNER: shall mean any person or persons, firm, association, partnership, LLC or corporation having temporary or permanent custody of, sheltering or having charge of, harboring, exercising control over, or having property rights to a dog, or in the case of a person under the age of 18, the person's parent or legal guardian. A dog shall be deemed to be harbored if it is fed or sheltered for Three (3) consecutive days.

PUBLIC PROPERTY: shall mean town owned parks, the Town Square area, recreation areas, trails, playing field, school grounds, sidewalks, easements, rights of way and the traveled portion of public streets.

PRIVATE PROPERTY OF ANOTHER: shall mean property of any person or persons, firm, association, partnership, LLC or corporation, other than property of the owner or of the owner's spouse, children, mother, father or sibling.

Section 102-16. Removal of Dog Waste.

If any dog shall defecate on any public property or the private property of another, the owner of such dog shall immediately use a plastic bag or other suitable container to remove or cause to be removed from the property all feces deposited by the dog and deposit it in an appropriate waste receptacle. If such feces are not removed or so deposited, the owner of the dog shall be in violation of this Article.

Section 102-17. Penalty.

- A. The Town Manager may designate in writing one or more Town officials, employees or agents empowered to take enforcement action authorized by this Article.
- B. Any violation of this Article shall be punishable by a fine of \$50. The citation issued to the offender shall note that if the fine is not paid within 10 days of issuance of the citation the amount of the fine will be doubled and that the Town may initiate proceedings under the authority of C.G.S. section 7-152c and Chapter 129 of this Code of Ordinances to collect the fine. The alleged offender must also be informed that they may appeal the citation and fine pursuant to section 129-10 of the Hearing Procedure for Citations Ordinance.

Section 102-18. Guide Dogs Exempted.

The provisions of this Article do not apply to a guide dog accompanying any blind person or mobility impaired person.



**Town of Mansfield
Agenda Item Summary**

To: Town Council
From: Antonia Moran, Town Councilor
CC: Matt Hart, Town Manager
Date: November 9, 2015
Re: Town Manager's Employment Agreement

Subject Matter/Background

Attached please find a proposed successor employment agreement with the Town Manager. The proposed agreement is for a three-year term.

The Town Manager's recent performance review was positive, in keeping with previous reviews. The proposed agreement extends the terms of the Manager's current employment agreement, and incorporates the updated base salary in the successor contract.

From my perspective the proposed agreement is fair and reasonable to both the Town and the Town Manager.

Recommendation

The former Town Council reviewed the terms of the proposed employment agreement in executive session, as allowed by law.

I recommend that the Town Council authorize the Mayor to execute the proposed successor employment agreement with the Town Manager.

If the Town Council concurs with this recommendation, the following resolution is in order:

Resolved, to authorize the Mayor to execute the proposed Town Manager Employment Agreement between the Town of Mansfield, Connecticut and Matthew W. Hart, for a three-year term commencing on December 1, 2015 and expiring on November 30, 2018.

Attachments

- 1) Proposed Town Manager Employment Agreement



TOWN OF MANSFIELD

TOWN MANAGER
EMPLOYMENT AGREEMENT
2015

TOWN MANAGER EMPLOYMENT AGREEMENT TABLE OF CONTENTS

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Section 9: Termination

Section 10: Severance

Section 11: Resignation

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Section 14: Outside Employment

Section 15: Indemnification

Section 16: Bonding

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Section 18: Notices

Section 19: General Provisions

Signatures

**TOWN MANAGER EMPLOYMENT AGREEMENT
BETWEEN
THE TOWN OF MANSFIELD, CONNECTICUT
AND
MATTHEW W. HART**

Introduction

This Agreement, made and entered into this ____ day of November 2015, by and between the Town of Mansfield a municipal corporation having its territorial limits within the County of Tolland and State of Connecticut, (hereinafter called "Employer") and Matthew W. Hart, (hereinafter called "Employee") a professional in public management who, as a member of the International City/County Management Association, is subject to said association's Code of Ethics, both of whom agree as follows:

Section 1: Term

Subject to Article V, Section C501 of the Charter of the Town of Mansfield and Section 9 of this Agreement, the term of this Agreement shall be for an initial period of three (3) years from December 1, 2015 until November 30, 2018. Thereafter, this Agreement shall automatically be renewed on its anniversary date for a term of three (3) years unless notice that the Agreement shall terminate is given by one or both of the parties at least three (3) months before the expiration date. In the event the Agreement is not renewed, all compensation, benefits and requirements of the Agreement shall remain in effect until a new agreement is reached or Employee is terminated pursuant to Section 9 or resigns pursuant to Section 11 of this Agreement.

Section 2: Duties and Authority

Employer agrees to employ Employee as Town Manager to perform the functions and duties of such position specified in the Charter and Ordinances of the Town of Mansfield and the Statutes of the State of Connecticut and to perform other legally permissible duties and functions delegated by its Town Council, and Employee agrees to accept such responsibility.

Section 3: Base Salary

Employer agrees to pay Employee an annual base salary of one hundred forty-six thousand, one hundred fifty-seven dollars (\$146,157) in installments at the same frequency that other management employees of the Employer are paid. Employer shall annually give consideration to an increase in Employee's compensation based on performance, pursuant to Section 12 hereof.

Section 4: Health, Disability and Life Insurance Benefits

A. Medical Benefits. Employer agrees to furnish comprehensive medical benefits for Employee and his dependents equal to those which are provided to all other non-bargaining unit employees of the Town of Mansfield and to indemnify the cost thereof in the form of insurance premiums or otherwise in the same proportionate share as Employer pays for the other non-bargaining unit employees of the Town of Mansfield.

B. Dental Benefits. Employer agrees to furnish dental care benefits for Employee and his dependents equal to those which are provided to all other non-bargaining unit employees of the Town of Mansfield and to indemnify the cost thereof in the form of insurance premiums or otherwise in the same proportionate share as Employer pays for the other non-bargaining unit employees of the Town of Mansfield.

C. Long Term Disability Insurance. Employer agrees to furnish and to make required premium payments for long term disability insurance coverage for Employee that has the same terms and conditions as apply to other non-bargaining unit employees of the Town of Mansfield.

D. Short Term Disability Insurance. Employer agrees to furnish and to make required premium payments for short term disability insurance coverage for Employee that has the same terms and conditions as apply to other non-bargaining unit employees of the Town of Mansfield, provided Employee shall be entitled to receive thereunder the full-amount of his current net salary, otherwise Employer shall pay any difference between the principal amount of insurance and Employee's current net salary.

E. Life/AD&D Insurance. Employer shall pay the amount of premiums for term life/accidental death and dismemberment insurance in the amount of two (2) times Employee's annual base salary, including all increases in the base salary during the life of this Agreement. Employee shall name the beneficiary of such insurance.

Section 5: Leave

A. Vacation Leave. Employee shall be entitled to four weeks (20 work days) of vacation time per year. In the event that Employee does not use all the vacation time for which he has been credited in a given year, he may accrue the unused vacation time of that year up to a total accrual not to exceed thirty (30) days of vacation time earned during all years of his employment as Town Manager. At the time of his separation or retirement from service with the Town of Mansfield, Employee will be entitled to compensation for the balance of his accrued, unused vacation time at the pro-rata of his salary then in effect. Employee shall have the option of taking such compensation as: 1) a cash payment; or 2) separation leave. In the event of Employee's death, Employer will pay Employee's estate the amount of compensation for accrued, un-used vacation time to which Employee would have been entitled as if he had separated or retired as previously stated.

B. Sick Leave. Employee shall have on the effective date of this agreement the amount of sick leave he has accrued while employed in Town of Mansfield positions he has previously held. Employee shall thereafter accrue sick leave on an annual basis at the highest rate provided to other non-bargaining unit employees. Policies regarding limitations on the use and accrual of sick leave that apply to non-bargaining unit employees of the Town of Mansfield shall apply to Employee.

C. Military Reserve Leave. Employee shall be entitled to military reserve leave time pursuant to state law and Town of Mansfield policy.

D. Holiday Leave. Employee shall be entitled to the same holidays as other non-bargaining unit employees of the Town of Mansfield which, at the execution of this Agreement, are thirteen (13) days per annum.

E. Personal Leave. Employee shall be entitled to the same personal leave as other non-bargaining unit employees of the Town of Mansfield which, at the execution of this Agreement, is three (3) days per annum. The eligibility and conditions that apply to personal leave for non-bargaining unit employees shall apply to that of Employee.

Section 6: Automobile

Employee's duties require exclusive and unrestricted use of an automobile.

Accordingly, Employer shall be responsible for: 1) furnishing Employee with a suitable automobile; 2) keeping in force automobile liability, property damage, and comprehensive insurance applicable to such vehicle and its operation; and 3) providing for or paying for maintenance and repair to keep such vehicle in good operating condition. Employee may use the vehicle for non-business purposes, provided he shall reimburse the Employer at the current IRS standard mileage rate for any personal use of the vehicle beyond the greater Mansfield area which is defined as travel within a twenty (20) mile radius of the Mansfield Town Hall.

Section 7: Retirement

A. Retirement Eligibility. Employee shall be eligible for retirement under the terms that apply to other non-bargaining unit employees of the Town of Mansfield in effect at the time Employee applies for such retirement.

B. MERS. Employer agrees to continue Employee's enrollment in the State of Connecticut Municipal Employees Retirement System (MERS) and to make all appropriate contributions required by the State of Connecticut, provided Employee shall contribute to Employer through payroll deductions two and one-quarter percent (2.25%) of his base salary, or such amount required by state law in the event the employee contribution is changed, to defray the cost of MERS charges to Employer.

C. Post-Retirement Health Care and Life Insurance. Upon retirement, Employee will be entitled to enrollment in and be a beneficiary of Employer's benefit plans that provide post-retirement medical, dental and life insurance coverage for Employer's non-bargaining unit employees and their dependents. Employee will make contributions to such plans at the rate or in the amount that, from time to time, are set for all other non-bargaining unit employees of the Town of Mansfield. In the event Employee predeceases his spouse after he has attained retirement, Employee's spouse shall be entitled to succeed him as an enrolled beneficiary of Employer's medical, dental and life insurance plans provided she makes premium contributions commensurate with current rates or amounts in effect for non-bargaining unit employees of the Town of Mansfield.

Section 8: Professional Support

A. Dues and Subscriptions. Employer agrees to budget for and to pay for professional dues and subscriptions of Employee necessary for continuation and full participation in national, regional and state associations and organizations necessary and desirable for

Employee's continued professional participation, growth, and advancement, and for the good of Employer.

B. Professional and Official Travel. Employer agrees to budget for and to pay for transportation, registration and subsistence expenses of Employee for professional and official travel, meetings, conferences and occasions to adequately continue the professional development of Employee and to pursue necessary official functions for Employer, including but not limited to the ICMA Annual Conference, meetings of the Connecticut Conference of Municipalities, and such other national, regional, state, and local governmental groups and committees in which Employee may serve as a member.

C. Continuing Education. Employer also agrees to budget for and to pay for registration, tuition, travel and subsistence expenses of Employee for short courses, institutes, and seminars that are necessary for the Employee's professional knowledge and development and for the good of the Employer.

D. Local Organizations. Employer shall pay for the reasonable membership fees and/or dues to enable Employee to be a member in such local civic organizations as Employer shall determine that membership by Employee is of value to the Town of Mansfield.

Section 9: Termination

For the purpose of this agreement, termination shall occur when:

- 1) The Town Council votes to remove Employee in the manner set forth in Article V, Section 501B of the Charter of the Town of Mansfield.
- 2) If, pursuant to Chapter 99 of the Connecticut General Statutes, as amended, any provision of the Charter of the Town of Mansfield is revised to diminish the role, powers, duties, authority, or responsibilities of Employee's position to the extent that the form of government of the Town of Mansfield is substantially changed, Employee shall have the right to declare that any such amendment constitutes termination.
- 3) In the absence of stringent fiscal conditions which force Employer to reduce the compensation of all non-bargaining unit employees on average by a like percentage, a reduction in the base salary, compensation or any other financial benefit of Employee shall constitute a breach of this Agreement and Employee will have a right to declare a termination.
- 4) If Employee resigns following a proposal to accept resignation, whether formal or informal, by Employer as representative of the majority of the Town Council desiring Employee to resign, then Employee will have a right to declare a termination as of the date of the suggestion.

Section 10: Severance

Severance shall be paid to Employee when employment is terminated as defined in Section 9. If Employee is terminated:

- 1) Employer shall provide a minimum severance payment equal to twelve (12) months of salary at the current rate of pay. Severance shall be paid in a lump sum unless otherwise mutually agreed by Employer and Employee.

2) Employee shall also be compensated for all accrued leave as defined in Section 5 of this Agreement.

3) Employer shall make contributions to Employee's deferred compensation account based on the value of the aforementioned severance payment calculated using the contribution rates ordinarily used pursuant to subsection C of Section 7 this Agreement.

4) Employer shall pay the cost to continue the following benefits for a period of at least nine (9) months following the date of termination:

- a) Medical Benefits for the employee and his dependents as provided in Section 4A.
- b) Dental Benefits for the employee and his dependents as provided in Section 4B.
- c) Long Term Disability Insurance as provided in Section 4C.
- d) Short Term Disability Insurance as provided in Section 4D.
- e) Life/AD&D Insurance as provided in Section 4E
- f) Out placement services, should the employee desire them, in an amount not to exceed ten thousand dollars (\$10,000).

If Employee is terminated because of a conviction of a felony, then Employer shall not be obligated to pay severance under this section.

Section 11: Resignation

In the event that Employee voluntarily resigns his position with Employer, Employee shall provide a minimum of thirty (30) days' notice unless the parties agree otherwise.

Section 12: Performance Evaluation

Employer shall annually in the month of July review the performance of Employee subject to a process, form, criteria, and format for the evaluation which shall be mutually agreed upon by Employer and Employee. Employer's evaluation process shall, at a minimum, include: 1) preparation of a preliminary evaluation, 2) meeting with Employee to discuss the evaluation, and 3) presentation to Employee of a written summary of the evaluation results within thirty (30) days of the evaluation meeting.

Section 13: Hours of Work

It is recognized that Employee must devote a great deal of time outside the normal office hours on business for Employer, and to that end Employee shall be allowed to establish an appropriate work schedule.

Section 14: Outside Employment

The employment provided for by this Agreement shall be Employee's sole employment. Recognizing that certain outside consulting or teaching opportunities provide indirect benefits to Employer and the community, Employee may elect to accept, subject to the approval of Employer, limited teaching or consulting opportunities with the understanding that such arrangements shall not constitute interference with or a conflict

of interest with his responsibilities as Town Manager per Article V, Section 501A of the Charter of the Town of Mansfield.

Section 15: Indemnification

Beyond what is required by the laws of the State of Connecticut, Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's duties as Town Manager or resulting from the exercise of judgment or discretion in connection with the performance of program duties or responsibilities, unless the act or omission involved willful or wanton conduct. Employee may request and Employer shall not unreasonably refuse to provide independent legal representation at Employer's expense. Legal representation, provided by Employer for Employee, shall extend until a final determination of the legal action including any appeals brought by either party even if Employee's service to Employer has, in the meantime, ended.

Employer shall indemnify Employee against any and all losses, damages, judgments, interest, settlements, fines, court costs and other reasonable costs and expenses of legal proceedings including attorney's fees, and any other liabilities incurred by, imposed upon, or suffered by Employee in connection with or resulting from any claim, action, suit, or proceeding, actual or threatened, arising out of or in connection with the performance of his duties. Settlement of any claim must receive prior approval of Employer in order for indemnification, as provided in this Section, to be available. Employer shall have the right to enter into a compromise settlement of any claim or suit unless such settlement may tend to jeopardize the professional reputation of Employee in which event Employee may have veto authority over the settlement.

Section 16: Bonding

Employer shall bear the full cost of any fidelity or other bonds required of Employee under any law or ordinance.

Section 17: Other Terms and Conditions of Employment

Upon mutual agreement of Employer and Employee, other terms and conditions of employment relating to the performance of the Employee may be set by Employer from time to time, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the Charter of the Town of Mansfield or the laws of the State of Connecticut or the United States.

Section 18: Notices

Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service, postage prepaid, addressed as follows:

- (1) EMPLOYER: Mayor, Town of Mansfield, Audrey P. Beck Municipal Building, 4 South Eagleville Road, Mansfield, CT 06268
- (2) EMPLOYEE: Matthew W. Hart, 11 Eastwood Road, Mansfield, CT 06268

Alternatively, notice required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as the date of deposit of such written notice in the course of transmission in the United States Postal Service.

Section 19: General Provisions

A. Integration. This Agreement sets forth and establishes the entire understanding between Employer and Employee relating to the employment of Employee by Employer. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties by mutual written agreement may amend any provision of this Agreement during the life of the Agreement. Such amendments shall be incorporated and made a part of this Agreement.

B. Binding Effect. This Agreement shall be binding on Employer and Employee as well as their heirs, assigns, executors, personal representatives and successors in interest.

C. Effective Date. This Agreement shall become effective on December 1, 2015.

D. Severability. The invalidity or partial invalidity of any portion of this Agreement will not affect the validity of any other provision. In the event that any provision of this Agreement is held to be invalid, the remaining provisions shall be deemed to be in full force and effect as if they have been executed by both parties subsequent to the expunging or judicial modification of the invalid provision.

IN WITNESS WHEREOF, the parties hereto have set their signatures this ____ day of November, 2015.

TOWN OF MANSFIELD, EMPLOYER

MATTHEW W. HART, EMPLOYEE

By:

Its Mayor, Duly Authorized

Matthew W. Hart

What Other College Communities Have Done*

Summary of what other college communities have done to preserve owner-occupied single-family home (SFH) residential neighborhoods*:

- 1- Institute a limit on the number of student rental houses that can be built or converted on any given street. (St. Paul, MN)
- 2- Limit density of student housing: Student homes must be at least 10 lot-widths apart. (Newark, DE) and bans new student housing within 400' of other such housing. (Newark, DE)
- 3- Make Student House Rental a use by special exception. (W.Chester, PA & Merrion Township, PA)
- 4- Have a MORATORIUM on new rental permits. (Hamden, CT)
- 5- Lottery for Permits - Issue predetermined number of new rental permits annually on lottery system based on how many rental homes are converted back to owner-occupied single family homes.
- 6- Restrict definition of "family" in SFH to 3 unrelated persons but leave definition at 4 in apartments and managed complexes intended for students. (As mentioned in Mansfield Tomorrow Plan.) [Note: related persons are unlimited.]
- 7- Reduce Number of "Unrelated Persons" (currently 3 in Mansfield, reduced from 4 in 2010). Provide a "sunset provision" which requires that any current rentals will have to conform to new occupancy rate within a specified number of years. (2-3 years) (Urbana, IL)
- 8- Landlord *fined daily* if over-occupied. LL must prove he is in eviction process to avoid daily fines.
- 9- University requires students to live on campus through their sophomore year; Consider using Depot Campus for additional student housing. (Mansfield Tomorrow Plan, Section 7.28)
- 10- Consider "buying back" rental licenses and converting rentals back to single-family, owner-occupied properties. (E. Lansing, MI); Instituted a "buyback" program (30 homes were purchased over 10 years) where student residences were purchased then resold with a restriction on the deed that they can only be owned by "owner-occupants." (St. Paul, MN)
- 11- Notify neighbors of any pending conversions to rental housing and allow adjacent neighbors to comment.
- 12- Require rental occupancy permit to be maintained ON premises. (Gainesville, FL)
- 13- Occupancy Permit Affidavit must be displayed and visible from outside (W. Lafayette, IN). Fines to owner on landlord for over-occupancy. Owner and tenants must *sign* occupancy affidavit.
- 14- Have website listing approved landlords (Univ. of MI) or website of landlords with excessive violations. (Springfield, IL)
- 15- Post legal number of occupants for every rental property on the web. (Iowa City, IA)

- 16- Have a Nuisance Inspector who inspects key neighborhoods 3-4/x daily. (W. Lafayette, IN)
- 17 - Enforcement drivebys to be done at *realistic times* when occupants are more likely to be there. E.G. 2am to 6am, not 2pm.
- 18- Fines up to \$2000 if unlicensed. (Boulder, CO)
- 19- Include NUMBER of occupants on Housing Forms, so housing does not need to go to Zoning for that information for every inspection. Require Zoning sign off *before* Rental permit is issued.
- 20- Implement Rooming House Programs in permitted districts (W. Chester, PA)
- 21- Aggressive enforcement of over-occupancy (\$500 first time, \$750 for additional)(Ames, IA)
(Fines shown are 2005, so likely have increased)
- 22- Fines for tenants and landlords for over-occupancy: burden is on landlord to inform tenants of legal occupancy rate. Burden of proof on residency is on the tenant. (Carbondale, IL)

NOISE & LITTER ISSUES

- 23- Everyone on lease can be fined for over-occupancy, noise violations up to \$200 and 90 days in jail. (Bloomington, IN)
- 24- If tenants get more than 2 serious violations within a year, the city can shut down the rental house. (Manhattan, KS)
- 25- Require local management agent if out of town non-owner occupied rental. (Carbondale, IL)

PARKING ISSUES

- 26- Issue Residential Parking permits only 3-4 per/property, depending on # of occupants allowed, for any non-owner occupied dwelling requiring a rental permit. (Newark, DE)
- 27- One permit per address with additional permits for a two-hour limit. (Eugene, OR).
- 28- Overnight parking prohibited without a permit. (Manhattan, KS)
- 29- Revocation of Landlord Licenses for non-compliance. (Gainesville, FL)

* What Other College Communities Have Done. Examples of Regulatory Actions to Preserve the Single-Family Residential Character of a Campus Neighborhood. Published in Regulatory Actions To Preserve Campus Neighborhoods - Jan 2005. [Also includes ideas from Mansfield Tomorrow and Facebook Discussions.]

What Other College Communities Have Done

Examples of Regulatory Actions to Preserve the Single-Family, Residential Character of a Campus Neighborhood

West Urbana is not alone in trying to preserve its single-family residential neighborhood. The May 2002 issue of *Zoning News*, a publication of the American Planning Association, discusses "How Communities Address the Problems of Students Living Off-Campus." It lists effective strategies to reverse the "encroachment of student rental housing into nearby single-family neighborhoods and the negative effects of this encroachment."¹ Research by members of the West Urbana Neighborhood Association details solutions other college communities have implemented to achieve these goals.² What follows are examples from which we can extrapolate and learn.

Restrict the Definition of Family "The most common method of attempting to deal with over-occupation of rental properties in a single-family district."

Example of a "functional family" from Ann Arbor, MI: "... functional family means a group of people plus their offspring, having a relationship which is functionally equivalent to a family. The relationship must be of a permanent and distinct character with a demonstrable and recognizable bond characteristic of a cohesive unit. Functional family does not include any society, club, fraternity, sorority, association, lodge, organization or group of students or other individuals where the common living arrangement or basis for the establishment of the housekeeping unit is temporary."³

The restrictive family definition needs to be non-discriminatory and broad enough to include two unrelated partners and same-sex partners. Specific exceptions can be included in such an ordinance: e.g., in-home childcare; elderly care; sabbatical renters; exchange students, etc. Towns that have passed such an ordinance, and the year of passage include:

- ◆ Macomb, IL, 2001
- ◆ Ann Arbor, MI [Survived challenges at the State Supreme Court level, 2001]
- ◆ East Lansing, MI, 1997
- ◆ Burlington, VT, 2001
- ◆ Salisbury, MD, 2003
- ◆ Binghamton, NY, [Survived challenges at the State Supreme Court level, 2000]

¹ Craig Raborn: "Coping with Colleges: How Communities Address the Problems of Students Living Off-Campus." *Zoning News*, May 2002, p1-6. [Quote, p.1] Other quotes from this article, unless otherwise indicated.

² Research was conducted over the last several years and may not be 100% accurate.

³ Chapter 55, Zoning Code. Also at: <http://www.ci.ann-arbor.mi.us/Planning/codes/ch55-all.html>

Reduce the Number of Unrelateds [currently 4 in Urbana]. Provide a sunset provision which requires that any current rentals will have to conform to the new occupancy rate within a specified number of years. Examples of the number of permitted unrelateds in other communities and when current level enacted are:

- ◆ Carbondale, IL, 2, 1974
- ◆ Normal, IL, 2, long-standing
- ◆ Macomb, IL, 2, 2001
- ◆ Columbus, OH, 2, long-standing
- ◆ Madison, WI, 2, long-standing
- ◆ East Lansing, MI, 2, 1997
- ◆ Salisbury, MD, 2, 2003. Included a sunset provision of 3 years for existing rentals.
- ◆ Lawrence, KS, 3, 2003
- ◆ Provo, UT, 2, 2003
- ◆ Lincoln, NE, 2 [Survived challenges at the State Supreme Court level, 1997]
- ◆ Bloomington, IN, 3 [Survived challenges at the State Supreme Court level, 2003]
- ◆ Allentown, PA: Student overlay district, limiting the number of unrelateds permitted in this district compared to other parts of town. [Upheld in court challenges.]

Enforce Codes and Standards Ordinances to encourage compliance with existing codes include:

- ◆ Bethlehem, PA: Tenant & Landlord must sign supplementary agreement that stipulates an understanding of legal # of occupants; obligations of landlord for maintenance; obligations of decent conduct by tenants.
- ◆ Gainesville, FL: Requires rental occupancy permit to be maintained on premises.
- ◆ Iowa City, IA: Have info disclosure form on responsibilities and # occupants. Post legal # occupants for every rental property on the Web.
- ◆ West Lafayette, IN: Nuisance inspector who inspects key neighborhoods 3-4/x daily. Has resulted in a major change in appearance of area.

Issue Residential Parking Permits

- ◆ Manhattan, KS: issues two permits per property at nominal fee. Overnight parking in neighborhoods near campus prohibited without a permit.
- ◆ Newark, DE: No more than 2 residential parking permits will be issued per address for any non-owner occupant single-family type dwelling requiring a rental permit.
- ◆ Columbus, OH: Limits number of 'stacked' cars in a driveway; also limits to area devoted to parking and maneuvering of vehicles in the University District Overlay to 35% of lot to prevent the "auto salvage yards" syndrome.
- ◆ Eugene, OR: One permit per address, with a limited number of additional permits for a 2-hour parking limit only.

- ◆ East Lansing, MI: 24/7 program in select neighborhoods, which limits number of permits [up to 3 or 4, depending on area] per address. No on-street parking 2am-5am. Grandfathered businesses exempted.
- ◆ Bloomington, IN: Limits number of permits issued to Greek houses in the neighborhood. Greek Houses do not receive visitor passes.

Inspect Rentals and License Landlords "Safe rental housing and a record of responsible parties for each property are additional benefits of such a program."

- ◆ Columbia, MO: Requires certificate of compliance, HVAC inspection, and city inspection. Registration and inspection fees required.
- ◆ Gainesville, FL: Yearly fee for rental properties. Website promotion of licensed properties. Landlord point system, in which revocation of license possible for non-compliance [passed 2003].
- ◆ Iowa City, IA: requires rental permit [fee assessed every 3 years per structure and per number of bedrooms] and one-time Certificate for Structure Compliance [one-time fee].
- ◆ West Lafayette, IN: Requires certification of all rental housing. Annual fee of \$300 per structure in 2002, and additional per-unit fee. Different fees depending on whether owner-occupied, # of relateds and/or unrelateds, and multi-housing/single-family unit, etc.
- ◆ East Lansing, MI: Annual inspections.
- ◆ Boulder, CO: Baseline and safety inspections required. Fines up to \$2000 if unlicensed. Exempted properties include: owner-occupied or sabbatical rentals.

Implement Rooming House Programs These programs may be permitted in certain zones or overlay districts and may be prohibited in single-family districts.

- ◆ Adopt ordinance making a Student Rental Home a use by special exception
 - ◆ West Chester, PA
 - ◆ Merriion Township, PA
- ◆ Limits on density of student houses:
 - ◆ West Chester, PA: bans new student housing within 400' of other such housing.
 - ◆ Newark, DE: student homes must be at least 10 lot-widths apart.

Target Disorderly Houses Minimizing nuisance and over-occupancy violations. Drafting ordinances to preserve the spirit of single-family zoning.

- ◆ East Lansing, MI: Landlord fined daily if over-occupied. Landlord must prove tried to evict. Can fine landlord or tenant. If there are too many noise violations, the landlord is notified and ultimately liable. \$1,000 fines and possible incarceration for serious repeat noise violations. Enforced twice and never needed subsequently, as of 2004.
- ◆ Columbus, OH: Owner liable for over-occupancy.
- ◆ West Lafayette, IN: Requires Occupancy Affidavit, which must be displayed on premises. Fines of \$1000-\$2500 imposed on landlord for over-occupancy. Owner and tenants must sign occupancy affidavit.

- ◆ Springfield, IL: Website of landlords with excessive violations.
http://www.springfield.il.us/CITY_GOV/ComServ/TopTen.htm
- ◆ Ames, IA: Aggressive enforcement of over-occupancy. Landlords and tenants found in violation of the occupancy limit for their area will be fined \$500 for the first violation and \$750 for additional violations.
- ◆ Carbondale, IL: Second offense for over-occupancy: fine owner and tenants. Burden is on the owner to inform tenants of legal occupancy rate. Burden of proof on residency is on the tenant.
- ◆ Bloomington, IN: Everyone on lease gets a ticket if there is a noise complaint, whether present or not at party.
- ◆ Boulder, CO: violation for over-occupancy and nuisance violations can be up to \$2,000 and 90 days in jail.
- ◆ Manhattan, KS: If tenants get more than 2 serious violations within a year, the city can shut down the rental house.
- ◆ Normal, IL; Boulder, CO; Ft. Collins, CO; Ames, IA; Tuscaloosa, AL; and Blacksburg, VA: ban of indoor [upholstered] furniture outside, "based on national fire safety standards and tragedies that have occurred with fires on porches or with waterlogged furniture causing collapse of the structure. Couches outdoors also attract vagrants who may find them a nice place to sleep and smoke."
- ◆ Eugene, OR: Requires bike storage – number depending on type of building and number of units.
- ◆ West Chester, PA: For drinking offenses, can impose the maximum state penalty – loss of driver's license.

Other Solutions

Encourage Owner-Occupancy and Responsible Management

- ◆ East Lansing, MI: Occupancy limits based on dwelling size and whether owner-occupied.
- ◆ West Lafayette, IN: rental registration program assigns different category of fees and fines for rental properties, depending on whether or not it is owner occupied. Properties with out-of-town owners must have a local manager if property owner lives outside of designated area [e.g., city or county limits].
- ◆ Carbondale, IL, Ann Arbor, MI, and Boulder, CO: Must have a local agent to manage property, even if owned by out-of-town parent.
- ◆ Ann Arbor, MI: UMich has Website listing of approved landlords.
- ◆ East Lansing, MI: Considering buying back rental licenses and converting rentals back to single-family, owner-occupied properties [as of 2004].

Limit Occupancy Based On Parking Availability

- ◆ East Lansing, MI. Under consideration.

Sarah Delia

From: bjkarnes8@charter.net
Sent: Wednesday, November 04, 2015 9:18 AM
To: Town Mngr
Subject: Transfer station

Dear Matt, I am elderly and I live alone in Mansfield. I use the transfer station about twice a month. I like to drive in, drop off bundles and drive out, unimpeded. Others seem to have the same rapid style. Driving in this area can be a danger when cars are randomly parked and they begin to leave in no apparent pattern when a person completes his errand. For this reason, having any pedestrian standing in the area, handing out flyers or engaging others in conversation is a real hazard to me. My vehicle does not have a back-up screen and I cannot turn my head as far as I used to. My fear is that I will hit a human being and all the grief that would follow to that person and to me. Being able to drive is one of the main reasons I am able to age in place, my home of 45 years, instead of seeking an assisted environment. Please protect the regulation against anyone roaming the transfer station to promote any cause, be it political, humanitarian or commercial. Thank you, Bettejane Kames

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BREAK

Sarah Delia

From: RShaferB@aol.com
Sent: Thursday, November 05, 2015 9:19 AM
To: RShaferB@aol.com
Cc: Matthew W. Hart
Subject: TownCouncil@mansfieldct.org

I am traveling out of town on business and am unable to attend the meeting on Monday Nov 9, however, I would like my comments read into the Minutes:

Now that I have looked into this situation, and started a Facebook Group about the topic <https://www.facebook.com/groups/MansfieldNeighborhoodPreservation/> I see that the problem is MUCH BIGGER than I initially realized. I have been spending most evenings responding to texts and emails - usually I am on my computer, iPad and iPhone (all 3 at once) answering our citizens questions.

People in Mansfield's neighborhoods, with young and old families, have not had a voice, and while they *could* attend Town Council meetings, it's hard to do that if you have MS and are in a wheelchair, or have a 1 year old and 7 year old, or your concerns have been ignored for years. I have spent the last two months speaking with our community members. I have gone to their homes and heard their stories. They do not WANT to report their neighbors, but have put up with their neighborhoods being overtaken by non-owners occupied rentals filled with 6+ unrelated people, for many years.

Our neighborhoods are being bought of in a "land grab" by out-of-town investors. Is that what we want? The owner of 78 Lynwood (this week's "House of Shame") also owns 2 other homes in town, which he purchased then immediately converted to lucrative rentals. There was a 30% rise in number of homes converted to rentals in the last year. This increase is alarming.

It's time to take back our neighborhoods by enforcing the laws on the books. My neighbors and I are not the only ones that see the many cars at these houses Town Officials can also see these also but turn a blind eye as they drive up and down Route 195. There IS a problem, and it's time to fix it. Perhaps those who are NOT Mansfield residents simply do not care about our town.

Here are some of the properties that have been mentioned to me via the FB group, text and email.

20 Hillside,
 1 and 3 Eastwood,
 78 Birchwood,
 871 Storrs Rd,
 1008 Storrs Rd,
 112 Depot,
 78 Lynwood,
 25 Lynwood,
 56 Birch,
 1630 Route 195,
 425 Route 44,
 441 South Eagleville,
 22 Russett Lane

Our citizens have spoken: Mansfield Tomorrow addresses one of the top goals which is reducing density of student housing that is being pushed into our family neighborhoods.

We request an immediate moratorium on the issuance of new permits until the current homes are brought into conformity.

Respectfully submitted,

Rebecca Shafer
 Bill Roe

Echo Rd.
Mansfield Center, CT

Jiff Martin Selected as White House Champion of Change

On Monday, October 26, the White House will recognize 12 individuals from across the country as White House Champions of Change for Sustainable and Climate Smart Agriculture. UConn Extension's Jiff Martin was selected as one of the recipients.

These individuals were selected by the White House for their achievements and will be honored for exemplary leadership and innovation in agricultural production and education. The Champions have helped implement agricultural practices to promote soil health and energy efficiency, improve water quality, and reduce greenhouse gas emissions. Climate change can no longer be seen as a distant threat. It is already impacting forest, grassland, and cropland systems in the United States, and is threatening agricultural producers and their communities. These Champions understand the challenges our nation is facing from a changing climate and are taking steps to build resilience to the impacts of climate change, which also protects their bottom line. The program will feature remarks by United States Secretary of Agriculture Tom Vilsack.

Jiff Martin is the Sustainable Food System Associate Educator for UConn Extension, which is part of the College of Agriculture, Health, and Natural Resources. Jiff has worked for over 12 years on food and agriculture issues in Connecticut, helping residents discover local agriculture, connecting kids to healthy, whole foods, and researching community food security in Connecticut's 169 towns. Her recent work includes leading a team of Extension Educators to assist new farmers in production and farmland management; directing two AmeriCorps service learning programs; and educating consumers through BuyCTGrown.com's 10% Campaign, under which residents and businesses are asked to pledge 10 percent of their food and gardening budget to locally-grown products. Jiff was previously State Director for the American Farmland Trust and Food Policy Director at Hartford Food System.

The Champions of Change program was created as an opportunity for the White House to feature individuals who are doing extraordinary things to inspire and empower members of their communities. The event will be live-streamed on Monday, October 26 at 2:00 PM ET. Visit www.whitehouse.gov/live/ to tune in. To learn more about the White House Champions of Change program, visit www.whitehouse.gov/champions. You can also follow the conversation at #WHChamps and #ActOnClimate.

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Town of Mansfield

Department of Planning and Development

Date: September 21, 2015
 To: Economic Development Commission
 From: Kevin Filchak, Planning and Development Intern
 Copy: Matthew Hart, Town Manager; Linda Painter, Director of Planning and Development;
 Curt Hirsch, Zoning Agent
 Subject: Brew Pubs – Benefits and Challenges

Background

Storrs Center Alliance has expressed interest in adding a brew pub to the list of allowable uses at Storrs Center. As an initial step, SCA approached the Mansfield Downtown Partnership to request their support for changes that would be needed to local regulations to support such a use. The MDP in turn referred the request to the Economic Development Commission for review. If the Commission concludes that allowing brew pubs would be a positive change, staff would recommend that the EDC make a formal request to the Town Council and Planning and Zoning Commission to initiate the process to amend the Code of Ordinances and Zoning Regulations to allow such uses. The following research has been prepared to assist you in your review of this issue.

Summary of Findings

Brew pubs can bring positive economic and social benefits to Mansfield. Introducing a brew pubⁱ to Mansfield allows the town to tap into the growing interest in craft beer across the state and nation.ⁱⁱ However, current Town regulations and ordinances do not allow for such a business to be located in Mansfield. By supporting and implementing new regulations the Town can draw both local businesses and a large and growing group of people devoted to the craft brew industry to Mansfield.

Brew Pubs in Connecticut

Brew pubs are permitted under Connecticut Statute Chapter 545, Section 30-16(f) (see Attachment 1). It is a facility that brews and sells its beer usually in a restaurant setting. It can also sell its beer to customers to consume off-site by bottling it in a reusable two liter container called a growler;ⁱⁱⁱ please note that Connecticut's biennial budget passed this year has increased the permitted size of a growler.^{iv} The parallels of both brewing and selling beer makes it difficult to define which level of industry a brew pub belongs to. It brews beer thus it is a manufacturer, selling the beer makes it a retailer, and if they produce enough possibly even a whole seller.^v In Connecticut, all brew pubs are licensed through the Department of Consumer Protection: Liquor Control Division; it provides a license for Manufacturer Brew Pub or Manufacturer Beer and Brew Pub.^{vi} The difference between the two is that the Manufacturer Beer and Brew Pub permit is considered the same as a Manufacturer for Beer permit (see Attachment 1). It is important to note that brew pubs do not necessarily have to sell food on their premises, Connecticut law provides that option but does not require it (see Attachment 1). Regarding their production, rather than having a production limit like the majority of states impose, Connecticut law requires those with a manufacturing permit for brew pubs produce a minimum of five-thousand gallons of beer per year.^{vii}

Brew pubs are found across the state, but in the Tolland and Windham County area there are only three: Willy Brew (Windham), The Crossings Restaurant and Brew Pub (Putnam), and the recently opened These Guys Brewing Co. (Norwich) (see Attachment 2).

Benefits

Brew pubs are part of a culture of craft brew that is growing in Connecticut and across the country. The *PEW Charitable Trusts* reported in 2014 that the craft brew industry on average is now producing sixteen million barrels of beer or about 7.8 percent of the beer industry, an overall increase of over three and a half percent since 2008.^{xiii} This increasing level of production nationwide brings with it about 110,000 jobs, 62,000 of which are full time.^{xiv} A recent Fox Connecticut news report stated that there are now 33 federally registered breweries in the state, with an economic impact of \$569 million.^x Due to the small size and uniqueness of each brew pub, they have become destinations reflective of the communities they reside in.^{xi} A good brew pub has the potential to draw crowds from across the state and beyond.^{xii} This brings increases in tourism to the Town and region, increasing the visibility and use of local businesses.

Challenges

The challenge for a potential brew pub would be the current Town zoning regulations and ordinances as the current language does not permit brew pubs. Both the Code of Ordinances (see Attachment 3) and Zoning Regulations (see Attachment 4) specifically identify the types of state alcoholic beverage permits that are allowed in Mansfield; the types of licenses required to operate a brew pub are not listed as permitted. It is further complicated as brew pubs manufacture their beer on-site requiring access to large amounts of water. A 2015 faculty paper published by Portland State University notes that efficient brewers can use as little as 3.45 gallons of water to make one gallon of beer.^{xiii} Conversely a brewer who has an inefficient system could use as much as 20 gallons to make the same amount.^{xiv} This means that with Connecticut's mandate of a production level of no less than 5,000 gallons of beer per year, an inefficient brewer could use as much as 100,000 gallons of water just to meet that minimum, not including the other utilities they would consume. While this volume may appear significant, it accounts for approximately 274 gallons per day when averaged out over the course of a year. In contrast, the water allocation for the Storrs Center project is over 160,000 gallons per day.

Additionally, as the wastewater from a brewery has different characteristics than normal sewage, it can be more complicated to treat. Any permit process should involve consultation with Windham Water Works and/or the University of Connecticut. Beyond wastewater spent grains are also a byproduct that can be problematic as it begins to develop an odor after some time. There are some residential communities located near breweries that have complained of these foul odors associated with brewing. Examples can be found in California,^{xv} Minnesota,^{xvi} Ohio,^{xvii} and Oregon.^{xviii} One challenge that did not come up in researching this memo was issues related to overconsumption of beer; authors may have alluded to it, but few gave it more than a passing reference. With no regulations in place there is no clear process to address these or any other concerns.

Regulation and Ordinance Changes

The creation of zoning regulations regarding brew pubs would allow owners and the Town a path to solving the above concerns. There are several towns and cities in the state with specific zoning

regulations that define brew pubs and create a path to permitting (see Attachment 5). Generally these communities will define brew pubs, and detail which zone it is allowed to operate in. Some also discuss how brew pubs can obtain permits for their facility. Based on the existing language in the Town ordinances, the Town Council would need to amend Sec. 101-1 and add Manufacturer Brew Pub license to the list of permits allowed in Town. The Council may also wish to address the Manufacturer Beer and Brew Pub permit. The Connecticut Department of Consumer Protection lists both permits on the same application, the Council should clarify which is permitted in Town.^{xix} Secondly the Planning and Zoning Commission must amend the zoning regulations^{xx} to allow brew pubs as well. As part of that regulatory update, the Commission may want to tie the brew pub to a restaurant if there is concern with allowing stand-alone brew pubs that do not include restaurant uses. Changes to the regulations would need to address both town-wide requirements as well as requirements specific to the Storrs Center Special Design District. While the sale of alcoholic beverages is a permitted use in the SC-SDD in accordance with the permits allowed by Section 101 of the Code of Ordinances, it does not currently allow for the manufacturing of alcoholic beverages.

Furthermore, consideration should be given to adding requirements regarding water and wastewater use, including water efficiency measures and involvement of the Water Pollution Control Authority, water suppliers, wastewater treatment providers, and/or other departments/agencies in the permit review process.

Regarding the issue of odors produced from the brewing process, some communities have adopted limited brewing hours and regular/routine removal of spent grains.^{xxi} Communities also have held public hearings on the matter when the odor becomes pervasive such as in the City of Cold Springs, Minnesota.^{xxii} The town may wish to address other environmental impacts;^{xxiii} however in the research for this memo no such language was found in other town's regulations.^{xxiv} Ultimately these regulations will streamline the local process for potential brewers while meeting the state's requirements for a liquor permit. Connecticut requires that prior to issuing a liquor permit, "local zoning approval" must be given.^{xxv} These new regulations will meet that standard.

Summary

A brew pub in Mansfield can be a financial and social benefit to the community. As it is a part of a nationwide move toward craft brews, it would be a part of a rapidly expanding and lucrative market. The Town ordinances and zoning regulations could be altered to address all existing issues currently preventing brew pubs in Mansfield and develop a process consistent with current state statutes. These revisions will make it easier to bring this new type of business Mansfield, and in turn will introduce the Town to a host of new and diverse patrons while providing local residents a new location to sample.

Attachment 1:

CGS Chapter 545, Sub-Section 30-16 (b), (f), & (g)

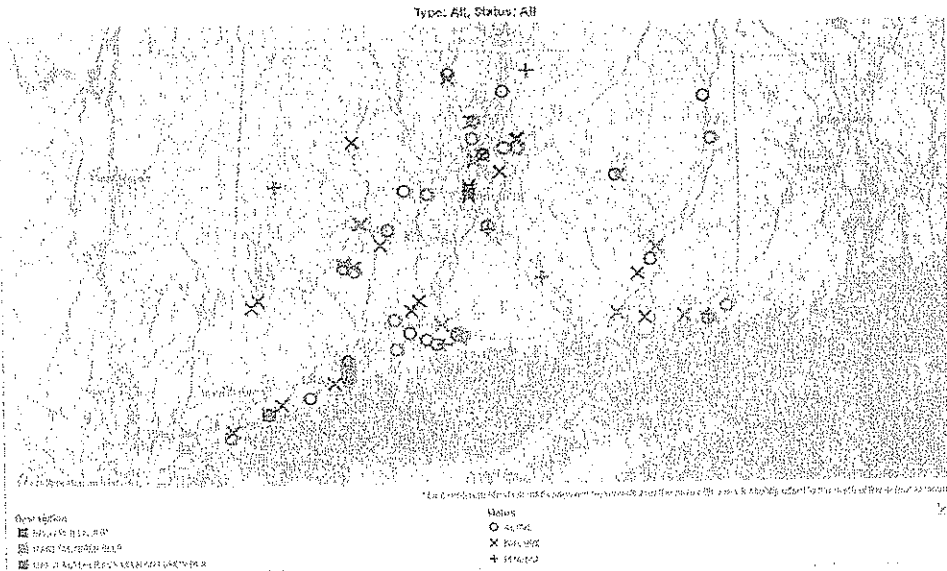
(b) A manufacturer permit for beer shall be in all respects the same as a manufacturer permit, except that the scope of operations of the holder shall be limited to beer, but shall permit the storage of beer in any part of the state. Such permit shall also authorize the offering and tasting, on the premises of the permittee, of free samples of beer brewed on such premises and the selling at retail from the premises of sealed bottles or other sealed containers of such beer for consumption off the premises. The offering and tasting may be limited to visitors who have attended a tour of the premises of the permittee. Such selling at retail from the premises of sealed bottles or other sealed containers shall comply with the provisions of subsection (d) of section 30-91 and shall permit not more than nine liters of beer to be sold to any person on any day on which such sale is authorized under the provisions of subsection (d) of section 30-91. The annual fee for a manufacturer permit for beer shall be one thousand dollars.

(f) A manufacturer permit for a brew pub shall allow: (1) The manufacture, storage and bottling of beer, (2) the retail sale of alcoholic liquor to be consumed on the premises with or without the sale of food, (3) the selling at retail from the premises of sealed bottles or other sealed containers of beer brewed on such premises for consumption off the premises, and (4) the sale of sealed bottles or other sealed containers of beer brewed on such premises to the holder of a wholesaler permit issued pursuant to subsection (b) of section 30-17, provided that the holder of a manufacturer permit for a brew pub produces at least five thousand gallons of beer on the premises annually. Such selling at retail from the premises of sealed bottles or other sealed containers shall comply with the provisions of subsection (d) of section 30-91 and shall permit not more than nine liters of beer to be sold to any person on any day on which such sale is authorized under the provisions of subsection (d) of section 30-91. The annual fee for a manufacturer permit for a brew pub shall be three hundred dollars.

(g) A manufacturer permit for beer and brew pub shall be in all respects the same as a manufacturer permit for beer, as defined in subsection (b) of this section, and shall allow those additional permissible uses specified in the manufacturer permit for a brew pub, as defined in subsection (f) of this section, provided the holder of a manufacturer permit for beer and brew pub produces at least five thousand gallons of beer on the premises annually. The annual fee for a manufacturer permit for beer and brew pub shall be one thousand five hundred dollars.

Attachment 2:

This interactive map is from 2014 and is available at the URL listed below. It does not include the new brew pub in Norwich.



<<http://www.courant.com/data-desk/hc-breweries-in-connecticut-20141115.html>story.html>

Attachment 3:

Retrieved from Town of Mansfield Ordinances, Article I: Sale of Alcoholic Liquor, Sub Section 101-1 Permits Established:

[Amended Election 11-4-1969]

The following types of permits for the sale of alcoholic liquor are allowed in the Town of Mansfield:

- Restaurant permit
- Club permit
- Restaurant permit for wine and beer only
- Restaurant permit for beer only
- Package store permit
- Package store beer permit
- Grocery store beer permit
- Druggist permit
- Hotel permit

Temporary beer permit

[Added Election 11-8-1983]

Temporary liquor permit

[Added Election 11-8-1983]

Attachment 4:

Retrieved from the Mansfield Zoning Regulations, Article X, Section 4, Subsection A: Permitted Uses in the SC-SDD, pages 189-191.

4. Uses Permitted in the Storrs Center Special Design District

a. The following land uses are allowed within the Storrs Center Special Design District, whether in separate buildings or in mixed use buildings and whether owned or leased:

* * * * *

(xxvi) Sale of alcoholic liquor, subject to the provisions of all town ordinances.

* * * * *

Retrieved from the Mansfield Zoning Regulations, Article X, Section I, 1-5, pages 166-168.

I. Sale Of Alcoholic Liquor

1. Definitions

All definitions of words used in this section which are not defined in this section or elsewhere in the Mansfield Zoning Regulations shall be the same as defined in the Liquor Control Act, Chapter 545 of the 1958 Revision of Connecticut Statutes, as revised, and the current regulations of the State Department of Liquor Control.

a. **Permit Premises** - That structure or building or that portion of a lot used for the manufacture, storage, or wholesale or retail sale of alcoholic liquor.

2. General

All proposed uses of land, buildings or structures involving the wholesale or retail sale of alcoholic liquor, whether for consumption upon the premises or otherwise, or involving the storage or manufacture of alcoholic liquor shall conform with the specific requirements contained in this section and shall conform with the permitted use provisions of Article VII

or the non-conformity provisions of Article IX. The requirements contained in this Section I shall not apply to any permit premises located within an SC-SDD zone district.

The sale of alcoholic liquor is not considered an accessory use. In situations where the sale of alcoholic liquor was not specifically authorized by the Planning and Zoning Commission in association with the establishment of a land use, special permit approval in accordance with the provisions of Article V, Section B shall be required to initiate the sale of alcoholic liquor at the subject property.

Currently, the only liquor permits that may be authorized in Mansfield are: Club; Druggist; Grocery Beer; Hotel; Package Store; Package Store Beer; Restaurant; Restaurant Beer; Restaurant Wine and Beer, and Temporary Special Outing Facility.

3. Prohibition

Night Club (Extra Hour) Permits - Night Club Permits as defined in the Liquor Control Act shall not be allowed in the Town of Mansfield.

4. Separation Distance Requirements.

a. There shall be a minimum distance of 500 feet between all parts of permit premises and all parts of a building used for any of the following purposes except that described in subsection 1(b) below:

1. (a) A public or private school conducted for the instruction of children primarily from 5 to 18 years of age and giving instruction at least three days a week for eight or more months a year;

- (b) The above limitation shall not apply to a permit premises in a Planned Business II zone which is a restaurant serving alcoholic beverages from a service bar in conjunction with the service of meals to customers seated at tables within a building and which premises does not contain a cocktail lounge or area where alcoholic beverages are served to patrons standing or seated at a bar.

2. A hospital

3. A training school for mentally retarded persons of any age

4. A convalescent home or nursing home

5. A library

b. There shall be a minimum of 250 feet between all parts of permit premises and all parts of a building used for the following purposes:

1. A church or other building used for worship

2. A public or private school conducted for the instruction of children primarily under 5 years of age and giving instruction at least three days a week for eight or more months a year.

In subsections (a) and (b) above, the distance referred to shall be measured in line without regard to intervening terrain or the actual means or ways of foot or vehicle travel between the two points.

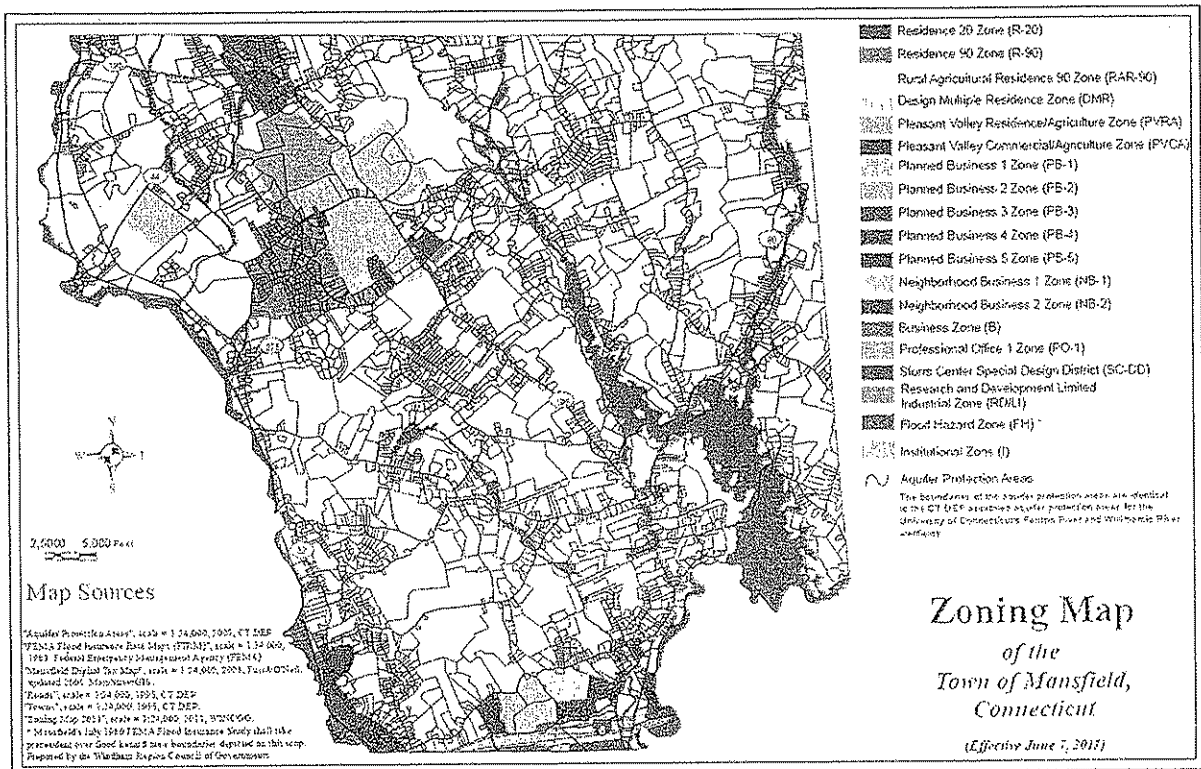
c. There shall be a minimum distance of 1,000 feet between the permit premises of all package store permits. This 1,000-foot separation distance shall be measured in a straight line between the respective customer entrances of the subject permit premises which are closest together without regard to intervening terrain or the actual means or ways of foot or vehicle travel between the two points.

5. Temporary Special Outing Facility Permits

Temporary Special Outing Facility Permits may be authorized by the Planning and Zoning Commission, provided site plan approval is obtained as per the provisions of Article V, Section A and provided the following requirements are met:

- a. Written approval from the Mansfield Police Department is submitted with the site plan application. Said approval shall specifically address the proposed plans for parking, traffic control, crowd control, hours of operation and protection of minors;
- b. Written approval from the Mansfield Health Officer is submitted with the site plan application. Said approval shall specifically address the proposed plans for providing sanitary facilities for the subject event.

Town of Mansfield Zoning Map



Alcoholic beverages are currently allowed to be sold in the following area:

- Planned Business 1 Zone
- Planned Business 2 Zone
- Planned Business 3 Zone
- Planned Business 4 Zone
- Planned Business 5 Zone
- Neighborhood Business 1 Zone
- Neighborhood Business 2 Zone
- Storrs Center Special Design District (SC-DD)

Attachment 5:

City of Hartford, Zoning Regulations. Excerpt from page 17.

"Brew pub means any building where beer is manufactured, stored, and bottled, with retail sale of alcoholic liquor to be consumed on the premises with or without the sale of food, with retail sale of sealed bottles or other sealed containers of beer brewed on such premises for consumption off the premises, and with wholesale sales of sealed bottles or other sealed containers of beer brewed on such premises, and as otherwise defined and regulated by the Liquor Control Act of the general statutes."

Town of Manchester, Zoning Regulations. Excerpt from Article I. Section 2. Page 3.

"Brewpub – A facility where beer is manufactured, stored, bottled, sold at wholesale or at retail in sealed bottles or other sealed containers for consumption off premises or sold to be consumed on the premises in a room that is ancillary to the production of beer, with or without the sale of food, and in accordance with Article IV Section 8"

Town of Norwich:

*No specific definition of "Brew pub" or any variant found in Zoning Regulations.

Town of Putnam, Zoning Regulations. Excerpt from page 157.

"Brewpub – means a restaurant/microbrewery that sells the majority of the beer it produces on site. The beer shall be brewed primarily for sale and consumption in the adjacent restaurant and/or bar within the same structure."

Town of Windham, Zoning Regulations. Excerpt from page 198.

"73.2.4 If the use is for a brew pub in the B1, B1A or B2 District, approval by the Zoning Officer is required; to be located in any other zone requires a Special Permit considered for approval by the Commission after a Public Hearing."

ⁱ Different entities use "Brew Pub" or "Brewpub" in their regulations. To match what the State of Connecticut uses, this memo will use "Brew Pub."

ⁱⁱ Griffin, LeeAnne. 2013. "Connecticut's Craft Beer Culture Thriving With Tastings And Tours." *Hartford Courant*. <<http://www.courant.com/entertainment/hc-ct-brewery-tours-20131008-story.html>> Procured on 08/21/2015.

ⁱⁱⁱ Duffy, Daniel. 1999. Office of Legislative Research. "OLR Research Report. 99-R-1215. Brew Pubs." <<http://cga.ct.gov/PS99/rpt%5Colr%5Chtm/99-R-1215.htm>> Procured 08/17/2015. Current state law prohibits the selling of more than one growler per person, per day.

^{iv} Phaneuf, Keith M. Thomas, Jacqueline R. and Becker, Arielle L. (2015). <http://ctmirror.org/2015/06/03/house-debate-begins-on-fiercely-contested-state-budget-deal/> The CT Mirror. Procured 08/19/2015.

^v Duffy. 2005.

^{vi} CT Department of Consumer Protection. 2012. "Instructions and Information: Manufacturer Brew Pub or Beer and Brew Pub Liquor Permit Application." <http://www.ct.gov/dcp/lib/dcp/pdf/applications_added_2014/new_application_-_manufacturer_for_brew_pub_&_beer_and_brew_pub.pdf> Procured 08/18/2015.

^{vii} Duffy, Daniel. 2005. Office of Legislative Research. "OLR Research Report. 2005-R-0'93. Brewpub Sales for Off-Premises Consumption." < <http://www.cga.ct.gov/2005/rpt/2005-R-0193.htm>> Procured 08/17/2015.

^{viii} Povich, Elaine S. 2014. "Craft Beer Industry Taps Profits of 'Big Beer.'" *The PEW Charitable Trusts*. <<http://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2014/05/27/craft-beer-industry-taps-profits-of-big-beer>> Procured on 08/18/2015.

^{ix} Povich. 2014.

^x Altman, Jim. 2015. "Keeping it 'crafty' for Connecticut's beer industry." FoxCT.
<<http://foxct.com/2015/09/14/keeping-it-crafty-for-connecticuts-beer-industry/>> Procured on 09/15/2015.

^{xi} Best, Allen. 2015. "Welcome to Beer Country." *Planning*.
<<https://www.planning.org/planning/open/2015/welcometobeer.htm>> Procured on 08/25/2015.

^{xii} Ross, M. 2013. "Boston the epicenter of craft beer?" *The Boston Globe*.
<<https://www.bostonglobe.com/opinion/2013/11/04/boston-created-craft-brewing-but-must-fight-keep/ibDBMQbelTZGBeXuSQ66NO/story.html>> Procured on 09/02/2015.

^{xiii} Pullman, Madeleine E.; Greene, Jacen; Liebmann, Devin; Ho, Nga; and Pedisich, Xan.
2015. "Hopworks Urban Brewery: A Case of Sustainable Beer." *Business Administration Faculty Publications and Presentations*. Paper 30.
<http://pdxscholar.library.pdx.edu/cgi/viewcontent.cgi?article=1029&context=busadmin_fac>
Procured on 08/18/2015. Pg. 8.

^{xiv} Pullman, et al. 2015. Pg. 8.

^{xv} Warren, George. 2013. "Sacramento neighbors sue city over brewery odor." *News10ABC*.
<http://www.coldspring.govoffice.com/index.asp?SEC=1BB80AC9-8179-4F54-9F07-3E7636FF70E8&DE=79BD4FB3-1695-40AB-A680-36CAB4F9B8BC&Type=B_PR> Procured 09/01/2015.

^{xvi} City of Cold Spring, Minnesota. 2013. "Cold Spring Brewing Company Odor Issues."
<http://www.coldspring.govoffice.com/index.asp?SEC=1BB80AC9-8179-4F54-9F07-3E7636FF70E8&DE=79BD4FB3-1695-40AB-A680-36CAB4F9B8BC&Type=B_PR> Procured 09/01/2015.

^{xvii} Davis, Jon. 2015. "Glenview grants preliminary OK to downtown brewpub." *Chicago Tribune*.
<<http://www.chicagotribune.com/suburbs/glenview/news/ct-gla-ten-ninety-brewing-tl-0813-20150811-story.html>> Procured 09/01/2015.

^{xviii} Brown, Charles E. 1996. "Downtown Brewery's Odor Repels Neighbors." *The Seattle Times*.
<<http://community.seattletimes.nwsources.com/archive/?date=19960722&slug=2340486>>
Procured 08/25/2015.

^{xix} CT Department of Consumer Protection. 2012.

^{xx} Depending on when the PZC plans to address the issue, it may be under the new Zoning Regulations currently being drafted and reviewed or it could be under the old plans.

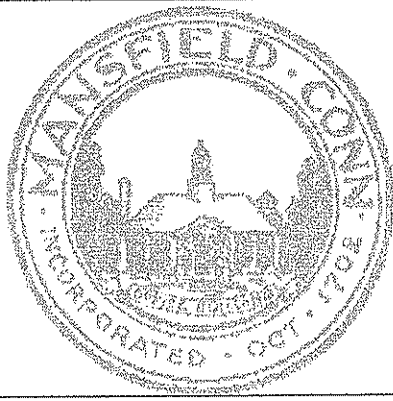
^{xxi} Davis. 2015 & Warren. 2013.

^{xxii} City of Cold Spring, Minnesota. 2013.

^{xxiii} Shea, Andrea. 2015. "Survival Of The Greenest Beer? Breweries Adapt To A Changing Climate." NPR. <<http://www.npr.org/sections/thesalt/2015/06/24/415538451/survival-of-the-greenest-beer-breweries-adapt-to-a-changing-climate>> Procured 09/01/2015. Shea discusses how the environmental changes that are currently occurring have forced brewers to adapt to meet their needs and that of the environment.

^{xxiv} While no such language was found, Pullman, et al. did discuss how brewers have found ways to leave less of an environmental footprint. This includes harnessing carbon dioxide for later use and selling spent grains to local farmers provided the grains had not spoiled. Pg. 8.

^{xxv} CT Department of Consumer Protection. 2012.



THE MANSFIELD MINUTE

NOVEMBER 2015

www.mansfieldct.gov

- Town Hall will be closed on Wednesday, November 11 for Veterans Day.
- Town Hall will be closed November 26 & 27 in observance of Thanksgiving.
- Channel 191 is our local government access station. Local info and certain public meetings are broadcast there.



Annual Veterans Day Tribute and Luncheon

Friday, November 13,
at the Community Center.

Social hour at 10 AM.

Ceremony at 11 AM.

Luncheon follows. Veterans of
all wars are invited.

- Use this [link](#) to see what the ballot will look like on Election Day.

You will be voting for the
following offices:

- Town Council
- Board of Education
- Board of Assessment Appeals
- Planning and Zoning Commission
- Planning and Zoning Commission Alternates
- Zoning Board of Appeals
- Regional Board of Education

What is the Next Generation CT initiative?

NextGenCT is a 10-year, \$1.54 billion plan to enhance UCONN's capacity to serve as a global leader in science, technology, engineering, and mathematics (STEM), as well as an economic development engine and workforce development driver for the State of Connecticut.

Scope of Next Gen Impact Study:

The Town of Mansfield and UCONN jointly hired Econsult Solutions (ESI) to conduct an Economic Analysis Impact Report to assess the projected fiscal and service impacts of NextGenCT. The analysis also includes a historic lookback at two previous state initiatives – UCONN 2000 and UCONN 21st century – and potential areas for increased collaboration and service sharing between the Town and the University.

UCONN 2000 and 21st Century:

On the expenditure side, the study projects that the service impacts of UCONN 2000 and 21st Century, for both municipal government and education services, total approximately \$2.5 million per year. This cost is offset by an estimated increase of \$5.2 million per year in new property tax and intergovernmental revenue. In addition, during this time period student enrollment increased from 11,800 to 20,400 (72%), employment at the Storrs campus grew from 3,450 to 4,150 (19%) and annual student spending increased from \$31 million to \$73 million (135%). *cont*

November 3 is Election Day.

Polls are open 6 AM to 8 PM.

Vote

Mansfield residents vote in the following locations:

- District 1 – Mansfield Community Center, 10 South Eagleville Road
- District 2 – Mansfield Fire Dept. Station 107 Eagleville, 889 Stafford Road
- District 3 – Mansfield Library, Buchanan Auditorium, 54 Warrentown Road
- District 4 – Annie Vinton School, 306 Stafford Road.

This is a local election featuring municipal offices.

Election Day Registration will take place in the Council Chamber of the Audrey P Beck Building. For additional information please visit the Registrars of Voters page at mansfieldct.gov.

NextGenCT continued...

Economic and Fiscal Benefits:

The economic and fiscal benefits associated with NextGenCT are variable depending on how the Town of Mansfield chooses to capitalize on opportunities in private sector growth and development presented by UCONN's continued development. The impact study suggests that these types of choices will decide how much of the market the Town chooses to capture and will directly correlate with the Town's property tax base.

The study looks at two different scenarios for NextGenCT – one with an increased enrollment of 1,000 students and the other by 5,000 students. Student spending in Mansfield is projected to increase from \$10-\$23 million, and direct employment by 285 to 1,125 jobs. The study expects that population growth directly linked to NextGenCT will initiate new private development and place a higher demand on existing housing generating an estimated \$100,000- \$360,000 increase in property tax revenue per year.



Town Hall Hours:

<i>Monday</i>	<i>8:15-4:30</i>
<i>Tuesday</i>	<i>8:15-4:30</i>
<i>Wednesday</i>	<i>8:15-4:30</i>
<i>Thursday</i>	<i>8:15-6:30</i>
<i>Friday</i>	<i>8—12</i>

Service and Infrastructure Impacts:

The impact study projects that the service impacts of NextGenCT, for municipal government, education services and capital improvement needs, will range between \$586,000 per year for the lower enrollment scenario and \$2.55 million per year for the higher enrollment scenario.

As UCONN develops, the Town will see an increase in demand for services and infrastructure. The changes that take place will depend on how much UCONN grows as well as how the Town responds to the increased needs of the University. With the adoption of its Mansfield Tomorrow Plan, Mansfield is well-positioned to allow sustainable growth in keeping with the values of the community.

Mansfield estimates that it is nearing capacity for utilization of existing water and sewer infrastructure. Water and sewer infrastructure is a costly investment ranging from \$250-\$375 per linear foot when accounting for all associated costs. Traffic conditions during the growth period for NextGenCT are expected to be the same or worsen, and costs to the Town to maintain its roadways and manage local traffic conditions are likely to rise.

Partnership Opportunities:

The NextGenCT study recognizes that UCONN is essentially a small city of its own and that

Mansfield and UCONN have many redundant services such as parking enforcement and public safety. The report posits that by sharing services the Town and the University may realize potential cost savings. Similarly, the Town and University both maintain facilities and resources that could be shared to benefit both entities. Storrs Center is highlighted as a successful model for future Town/University collaboration.

Intergovernmental Impacts:

The NextGenCT study highlights Mansfield reliance on intergovernmental revenue from the state, primarily in the form of payment-in-lieu of taxes (PILOT) for tax-exempt state-owned property. The report does warn that overall grant disbursements are determined at the state level, making the actual level of funding difficult to predict, but suggests that UCONN's growth in real property will likely increase the PILOT grant to Mansfield by \$600,000 to \$4.1 million per year.

Conclusion:

The ultimate size of the economic gains from the implementation of NextGenCT will depend in part on the Town, and how much it chooses to capitalize on the opportunities presented by UCONN's development. Using both UConn 2000 and UConn 21st century as benchmarks, the impact study projects that the economic gains associated with NextGenCT will exceed service and infrastructure costs, and present Mansfield with a unique opportunity to leverage the state's investment to the benefit of the Town.

Exemplary!

Mansfield Awarded For Its Energy Efficiency and Renewable Energy Efforts



The Town was recognized as an exemplary Connecticut Clean Energy Community yesterday during an Energize CT award ceremony.

Representatives from Eversource, United Illuminating, Green Bank and Connecticut Natural Gas presented Mansfield with a gold level plaque for its work to reduce residential and municipal energy use and increase its use of renewable energy.

Mansfield was one of five towns earning the highest level award by tracking the energy use of municipal buildings, using Bright Idea Grant money for energy saving projects, participating in the Neighbor to Neighbor Energy Challenge and Solarize Mansfield outreach campaigns for residents, achieving 27% residential program participation and achieving 15% participation in commercial/municipal energy-saving projects.

From January 2010 through July 2015, the Town saved 13,935,059 kilowatt hours of electricity and 46,575 ccf (hundred cubic feet) of natural gas. That is 7,106 tons of avoided carbon dioxide, which is equivalent to taking 1,239 cars off the road for one year or planting 1,762 acres of trees.

Join the Bike Commuter Club

Every time I see an adult on a bicycle, I no longer despair for the future of the human race. —H. G. Wells

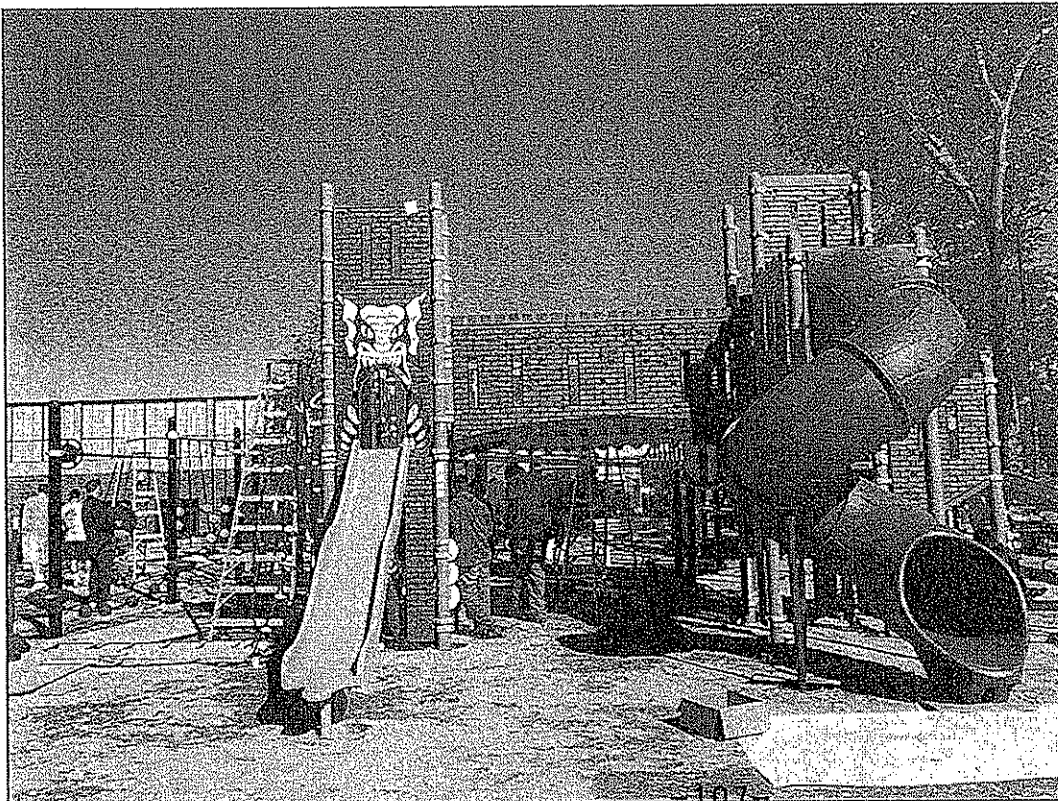
Bicycle commuters, the Town wants to support your efforts to go green and keep in shape! The Nash-Zimmer Transportation Center in Downtown Storrs is home to the Bike Commuter Club, providing secure indoor bike storage, private showers and lockers so you can commute with ease.

Club members can sign up seasonally (3 months) or for a full year. Benefits include your own indoor, lockable bike storage cage as well as private showers and lockers for your clothes and personal items. These amenities are accessible daily from 5AM to midnight. There are membership rates for both Mansfield residents and non-residents.

If you'd like more information or to arrange for a tour of the **Bike Commuter Club** facilities, contact Dee Goodrich, Transportation Coordinator, at 860-429-2740 or goodrichd@mansfieldct.org. Storrs Center Ambassadors can also answer questions at the Transportation Center Monday – Friday from 8AM to 5PM. The Transportation Center is located at 23 Royce Circle, on the south side of the town parking garage. Want to join? Click [here](#) for membership information.



We Did It! Building the Jeffrey P. Ossen Family Foundation Community Playground



Thanks to all who participated in building our wonderful new playground!

We had a beautiful fall weekend for our volunteer build. On Friday, Oct. 9, we had a groundbreaking ceremony with our state legislators, a representative of the Ossen Foundation, and lots of town staff and committee members. It was great to thank our sponsors and take a minute to celebrate the fact that, after all of this time raising money, we were finally about to build the playground!



November Events and Activities in Mansfield



Parks and Recreation

Fall Family Fun Night

Friday, Nov. 6, 5:30 –8:30 PM
Saturday, Nov. 28, 4:30-7:30 PM
No fee for members,
non-members pay the daily fee.

Road Trip!

Macy's
Thanksgiving Day Parade
Thursday, Nov. 26
Registration deadline is
November 14.

Enjoy the morning with family
and friends by watching the
Parade in person! Enjoy the
floats and bands as they pass by
right in front of your eyes.
You will be home in time to
enjoy Thanksgiving dinner with
your family. \$50 for Mansfield
residents. Call for more info.

E.O. Smith High School

MIDSUMMER/JERSEY

Nov 6 & 7, 7:30 PM
Nov. 8, 2 PM
High School Auditorium
The Drama Club presents a
hilarious rendition of
MIDSUMMER/JERSEY, a
re-creation of Shakespeare's
Midsummer Night's Dream
against a modern-day
New Jersey boardwalk.



Get Tickets!
\$7 for
students and
seniors, and
\$9 general
admission.

Mansfield Public Library

An Evening with Authors

Heather Webb and
Cindy Wolfe Boynton
Thursday, Nov. 5, 6:30 PM
Heather Webb is the author of
Rodin's Lover. Cindy Wolfe
Boynton is the award winning
author of *Remarkable Women of
Hartford* and *Connecticut's Witch
Trails: The First Panic in the New
World*.



Mr. Magic's Superhero Magic Show

Tuesday, Nov. 10, 6:30 PM
Mr. Magic returns with
his spectacular
Superhero Magic Show,
sure to delight and
amaze kids of all ages.
Come enjoy a fun,
funny and truly magical
performance. No school the next
day, so bring the whole family!

Author Talk:
Growing a New Tail
by Lisa C. Taylor
Saturday, Nov. 14, 3 PM
The author will discuss her stories
that compel both character and
reader to reassess, reinvent, and
look differently on the moments
that can change the course of a life.

Tellabration

Friday, Nov. 20, 6:30 PM
Storyteller Liz Gruber will share
some of her favorite stories from
around the world, including a story
using the Kamishibai tradition from
Japan. Bring the family for an
exciting evening of story telling.

Mansfield Senior Center

Closed November 4 & 5

Smiling Seniors

Friday, Nov. 6, 2 PM
Join UConn Health Students as
they educate us on Oral Health by
playing *Wheel of Fortune*.
Includes free Goodie Bags.

Thanksgiving Luncheon

Wednesday, Nov. 18, 12 PM
Delicious turkey meal!
At 1 PM, listen to Beth Usher, a
local inspirational speaker.
Lunch cost is \$7.
Purchase your ticket by Nov. 9.
Call 860-429-0262.

FoodShare Distribution

Thursday, Nov. 12, 11:30–12:15
If you have a need for food,
stop by.

Senior Center Mini Bazaar

Wednesday, Nov. 18, 19, 11-3 PM
For more info call 860-429-0262.

2016 Trips and Travel Fair

Thursday, Nov. 19 1-3 PM
Learn all about our 2016 Trips
and enjoy the door prizes as well
as light refreshments. For more
info call 860-429-0262 ext 6.

Meals on Wheels

Volunteers Needed

Help deliver meals to homebound
seniors in Mansfield.
Mid-morning deliveries, Mon–Fri.
Please call Sharon at 860-487-
9876 if you would like to volun-
teer for one or two days a week.





Blaze Fast-Fire'd Pizza Soon to Open Near University of Connecticut Campus

"Build-Your-Own" Artisanal Pizza Restaurant Set to Open in Storrs Center in January, 2016

November 3, 2015 – Los Angeles, Calif. – Blaze Fast-Fire'd Pizza, the fast-casual concept known for its chef-driven menu and casually hip restaurants, today announced that it will soon open a new location at Storrs Center, a walkable downtown located adjacent to the University of Connecticut in Storrs, CT. The highly anticipated restaurant, which features a 2,700 square foot interior with seating for 55, will open in January at Storrs Center (12 Royce Circle).

Blaze Pizza is a modern day "pizza joint" that has been inspiring excitement and cultivating fanatics for its custom-built artisanal pizzas, freshly made salads, blood orange lemonade and s'more pies since it opened its first location in 2012. Each restaurant features an interactive open-kitchen format that allows guests to customize one of the menu's signature pizzas or create their own, choosing from a wide selection of carefully sourced, high-quality ingredients – all for around \$8. The generously-sized 11" pizzas are then sent to a blazing hot open-flame oven – the centerpiece of the restaurant – where dedicated pizzasmiths ensure that the thin-crust pies are fast-fire'd and ready to eat in just 180 seconds. Each restaurant makes its own dough from scratch using a recipe developed by critically-acclaimed Executive Chef Bradford Kent (the "Pizza Whisperer"), which requires a 24-hour fermentation period to produce his signature light-as-air, crisp crust. For pizza fans with specific dietary needs, Blaze Pizza offers gluten-free dough and vegan cheese. The new restaurant will also feature a selection of wine and craft beer.

To create the perfect vibe inside the new Connecticut restaurant, award-winning design architect Ana Henton has added several unique, modern touches, including an oversized wall graphic custom-built to suit the space. Additionally, in support of the company's commitment to "Intelligent Choices for Our Pizzas, People & Planet," the restaurant will use both recycled and sustainable materials and energy-efficient LED lighting, and will feature eco-friendly, compostable packaging.

"At Blaze, we're all about creating an engaging dining experience where guests can enjoy artisanal pizza that's both fast and affordable," said Jim Mizes, president & COO of Blaze Pizza. "The authenticity of our food, plus a service culture that genuinely focuses on the happiness of our guests and crew – have been key to our popularity and expansion."

The newest Blaze restaurant is looking forward to building strong roots within the community, offering a spot where guests can connect, create and enjoy. To that end, the restaurant promotes a turnkey fundraiser program that returns 20 percent of an event's proceeds back to the organization, helping schools, sports clubs and other local groups "cause a scene for a good cause."

"Blaze Pizza offers an amazing product in a lively environment, and we're excited to have them among the tenants in Storrs Center," said Howard Kaufman, Chief Executive Officer of LeylandAlliance LLC, master developer of Storrs Center. "We believe Blaze will quickly become a popular destination for Huskies and area residents."

The restaurant will be operated by Lessing's Franchise Group, Inc., led by Michael and Mark Lessing. Lessing's Hospitality Group is one of New York's leading restaurant and catering companies. Their full-service restaurants include four-star Mirabelle, the waterfront View Restaurant, and trademark "Main Street" locations including Post Office Café, Maxwell's, Library Café and Finnegan's.

About Blaze Pizza

The first Blaze Pizza® restaurant opened on Aug. 6, 2012, in Irvine, Calif., and quickly gained attention for its chef-driven recipes, thoughtful interior design, and a service culture that celebrates individuality. Now ranked as the overall #2 fast-casual brand in FastCasual.com's annual Top 100 list, Blaze Pizza is building momentum and developing a cult-like following as it expands across the country. The company currently operates 93 restaurants in 23 states and Canada, including the major metropolitan areas of Los Angeles, New York, Chicago, San Francisco, Toronto, Dallas and Washington D.C. Founded by Elise and Rick Wetzel (co-founder of Wetzel's Pretzels), the concept is backed by investors including LeBron James, Maria Shriver, Boston Red Sox co-owner Tom Werner and movie producer John Davis. For more information, please visit blazepizza.com and facebook.com/blazepizza or [click here to view a company video](#).

About Storrs Center

Storrs Center is a mixed-use town center and main street corridor at the crossroads of the Town of Mansfield, Connecticut and the University of Connecticut. Located along Storrs Road adjacent to the University, the Town Hall, the regional high school, and the community center, Storrs Center knits thoughtful architecture, pedestrian oriented streets, and public spaces into a series of small neighborhoods that make up the new fabric of the town center. Ground floor retail and commercial uses opening onto landscaped sidewalks reinforce traditional street front activity and is supported by rental and for-sale residences and shared community spaces. Visit storrscenter.com for more information.

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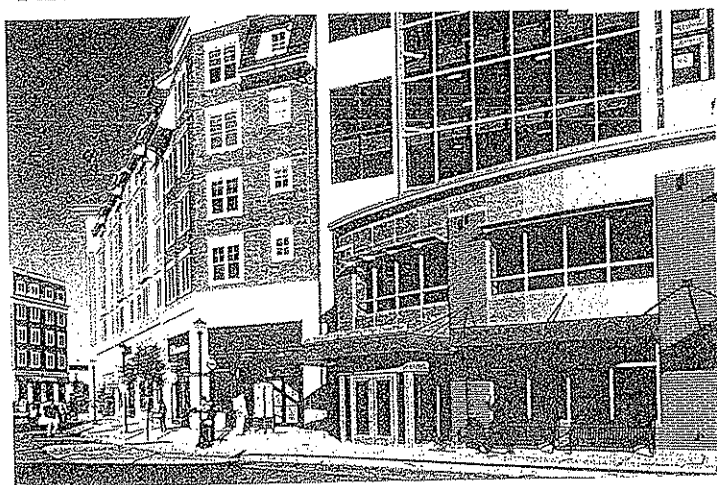
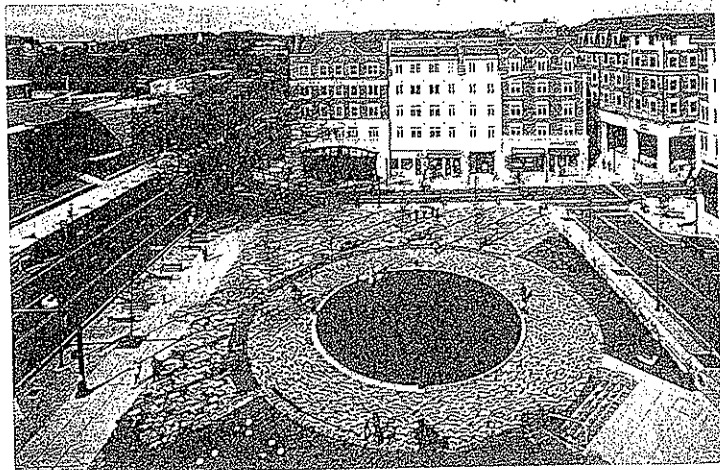
Storrs Center Contact

Monica Johnson, Vice President, Sales and Marketing, LeylandAlliance LLC
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914-715-5576

Blaze Pizza®, Fast-Fire'd®, the horizontal logo design, and the proprietary names "Pizzasmith", "Intelligent Choices For Our Pizzas, People & Planet" and related trademarks are the property of Blaze Pizza LLC.

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ECONOMIC DEVELOPMENT



On Top of the World

Mansfield's Storrs Center gains global recognition

If you build it they will come – awards, that is. Of course so did the people, and lots of them.

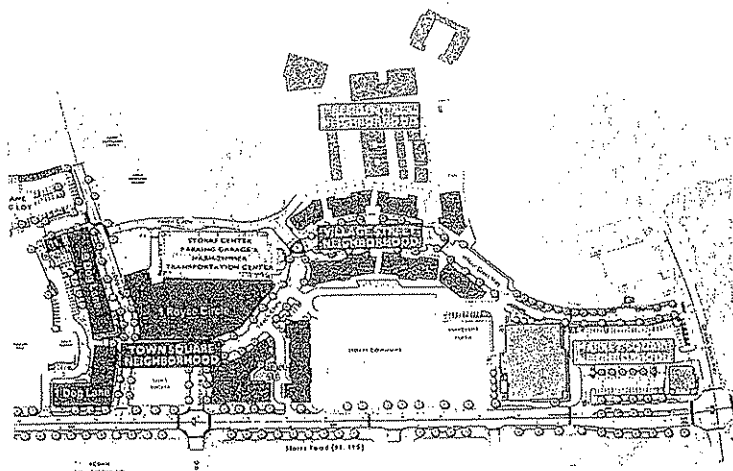
The town of Mansfield's public-private partnership that created the mixed-used Storrs Center and the new-look college town for the University of Connecticut continues to get rave views.

With its pedestrian-oriented streets, public spaces, popular retail and residential units, the Storrs Center has been selected as one of 22 finalists for the 2015 Urban Land Institute Global Awards for Excellence. The latest recognition comes on the heels of another award. The Mansfield Downtown Partnership announced in May that it received the CT Main Street Center's 2015 Award of Excellence in Planning for the development.

Just three years removed from the official groundbreaking of the first phase of the project, the Storrs Center was the result of a decade of community input created when the town and UConn formed the Mansfield Downtown Partnership to revitalize the town center.

The development has made significant strides since then. Most notably:

- Commercial spaces in the first three phases are 100 percent leased
- 32 new businesses now serve the greater Mansfield community
- More than 200 new full-time and part-time jobs have been created
- Property taxes for FY15-16 from Storrs Center are estimated at \$2.4 million



In noting the all award-winning attention, Downtown Partnership Executive Director Cynthia van Zelm praised the residents of Mansfield for their involvement throughout the project.

"The residents have attended hundreds of public meetings, provided input, guided the design, and are now supporting the businesses and living downtown," she said.

The winning projects of the Global Awards for Excellence will be selected this fall from a panel of judges who represent expertise in real estate, finance, land planning, development and public affairs. The criteria for the awards include leadership, contribution to the community, innovations, public/private partnerships, environmental protection and enhancement, response to societal needs, and financial viability. ■

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